# SUFFERING AND DESPAIR: HUMANITARIAN CRISIS IN THE CONGO

## **HEARING**

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS OF THE

## COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

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### CONTENTS

	Page
WITNESSES	
Father Jean-Bosco Bahala, Diocesan Media Director, Archdiocese of Bukavu, Democratic Republic of Congo	9 21 27 30 35
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Ileana Ros-Lehtinen, a Representative in Congress from the State of Florida, and Chairwoman, Subcommittee on International Operations and Human Rights: Prepared statement  Father Jean-Bosco Bahala: Prepared statement  Suliman Ali Baldo: Prepared statement  Les Roberts: Prepared statement  Anne Edgerton: Prepared statement  Wayne Madsen: Prepared statement	3 10 23 29 33 37
APPENDIX	
Material Submitted for the Hearing Record	67

## SUFFERING AND DESPAIR: HUMANITARIAN CRISIS IN THE CONGO

#### **THURSDAY, MAY 17, 2001**

House of Representatives,
Subcommittee on International
Operations and Human Rights,
Committee on International Relations,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:21 a.m. in Room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen [Chairwoman of the Subcommittee] presiding.

Ms. Ros-Lehtinen. The Committee will come to order.

Rape. Torture. Massacres. Violence. Destruction. This is the grim reality faced by the people of the Democratic Republic of the Congo for almost 3 years; a reality of despair and suffering witnessed firsthand by Father Jean-Bosco Bahala, one of our speakers today.

As the tragedy continues to unfold, one theme permeates the discussions. Inattention. That is, a war fought largely out of the world's sight. There have been other crises in the African continent in recent years. However, many observers quickly respond that the astonishing fact about the situation in the Congo is how long the conditions have been allowed to persist by the international community.

It is thus our hope that this hearing will help ensure that the 2.5 million reported dead by the International Rescue Committee's survey and all the other innocent victims unaccounted for do not go unnoticed.

Through this session we are holding today, we hope to contribute to the efforts denouncing the violence and the violations of human rights and humanitarian law by the parties involved in the war; to join the calls for those responsible for the horrible acts, the criminal acts against the civilian Congolese population and so they can be held accountable for their actions.

The imminent concern is to help bring an end to the violence in the hope that it will bring an end to the suffering and thereby allow the humanitarian assistance to reach the innocent victims.

As Refugees International has pointed out, there are tremendous obstacles to mounting an effective relief effort. In addition to the rebels, foreign armies and other troops mounting continuing offensives against each other and campaigns of terror against civilians, Refugees International explains that the Democratic Republic of the Congo is a massive country whose eastern provinces are far from the capitol, where most of the donor agencies have their offices.

There is little infrastructure to facilitate travel or communication. They add that the humanitarian crisis is largely one of displacement; that security concerns and poor infrastructure limit ac-

cess to the displaced.

Thus, it follows that an end to the war would begin to reverse the cycle described by the World Food Program and detailed in the IRC's recent report; a cycle which has one out of every eight households experiencing a violent death since the start of the war with 40 percent of them women and children, a cycle which has 8 percent or more of the population dying each year.

It also follows that an end to the war would bring an end to the use of child soldiers who are routinely forced into service and recruited into the eastern Congo by the RCD-Goma and other parties to the conflict. Some of our witnesses today will provide details on

the continuation of this horrible practice.

Local and international outcry has led to a shift and forced the recruitment from larger towns to less visible rural areas. The armies have released some token youngsters to create a facade of adherence to public indignation. However, international observers affirm that none of the warring parties have refrained from recruiting child soldiers.

How do we help bring about an end to the violence? Should it be a regional effort? A U.N. peacekeeper effort? If U.N. peacekeepers are to be used, how much would be enough? How would

the costs of such a U.N. effort be paid for?

Can there be an end to the war, given the widespread exploitation of the country's mineral riches by the warring parties? Can there be a genuine multilateral effort given that many donors and developed countries are facilitators or accomplices to the looting and, in turn, to the prolongation of the war?

Will an end to the violence bring long-term stability to this country? Will it lead to respect for human rights? An independent civil society? Is it possible? Once the immediate needs are addressed, what next?

We cannot focus exclusively on short-term concerns. We must look deeper and find an approach that will assist and support the Congolese people in laying the foundation for a future of peace, an approach that will help them achieve a stable, fully democratic and prosperous Congo.

This is particularly pertinent in light of the selection of Joseph Kabila to succeed his assassinated father. The new president has not only pledged to press ahead with the implementation of the 1999 Lusaka agreement, but has promised change within the coun-

What needs to take place to achieve the goals of democracy, of respect for human rights, of an independent civil society? How can the U.S. assist in this process? Is the European Union approval of a grant of \$110 million over 2 years in developmental aid for territories under the control of the new government a wise approach?

What about the attacks on journalists in March, the murders of six Red Cross staff members in April and the detention or disappearance of at least 200 political prisoners and others in the government controlled territory, all during the first 100 days of the

new government administration? Our witnesses today will assist us in answering these and other questions.

In summary, I would like to reiterate the need to elevate the profile of this conflict and the resulting humanitarian crisis, to find more effective ways to help the innocent civilians who are suffering and dying at never before seen rates, to find approaches that will address both the immediate and long-term concerns.

I am very happy that we have for her opening statement the person who is really driving this hearing and who has called for and demanded this hearing for a long, long time because she has been so worried and desperate over the situation in the Congo, my good friend, the Ranking Member, Cynthia McKinney of Georgia.

Ms. McKinney?

[The prepared statement of Ms. Ros-Lehtinen follows:]

PREPARED STATEMENT OF ILEANA ROS-LEHTINEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRWOMAN, SUBCOMMITTEE ON INTER-NATIONAL OPERATIONS AND HUMAN RIGHTS

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days of the new Kabila administration?

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Ms. McKinney. Thank you, Madam Chair. I definitely appreciate the fact that you are allowing us to call this important hearing today and to hear from our witnesses who have contributed now, who have dedicated now a vast amount of time, energy, effort, part of their lives into setting the record straight, securing the truth, first of all, and then trying to help the Congolese people to finally have the ability to determine for themselves their own government and how they will steward their own resources.

This hearing is vitally important because we will have the opportunity to set the record straight as to what has been happening in the Democratic Republic of Congo for the last 3 years. We have the opportunity to be able to draw together the varying investigations and reports of experts who have examined the Democratic Republic of Congo war and place in the public record the truth about what Rwanda, Uganda and their so-called rebel allies have done to the people of the Democratic Republic of Congo.

We have the opportunity to pass judgement on the Clinton legacy and make a finding as to exactly what Madeleine Albright and her

foreign policy team have done to the Great Lakes region.

I think it is also important to point out at the outset that the U.S. and Belgium deserve special condemnation for the 37 years of suffering in the Democratic Republic of Congo because it was their intelligence services who conspired to assist in the murder of the democratically elected President Patrice Lumumba. The west chose Mobutu to replace him, and for the next three generations Zaire, as it was then known, was placed in the grip of a corrupt and evil leadership.

Despite the mining of billions of dollars of minerals and other resources, DRC has been left by Mobutu nearly bankrupt and on the brink of collapse. The corporations and the western businessmen who traded with Mobutu never once called on him to be put in order. Instead, they celebrated in his fabulous homes and enriched

themselves at the expense of the Congolese people.

Rwanda, Uganda and their allies began a war in August, 1998, in the DRC under the claim of fighting the Hutu interahamwe, the Rwandan militia responsible for much of the killing during the 1994 Rwandan genocide. President Museveni of Uganda and President Kagame of Rwanda have always maintained that by fighting in the DRC they will defeat the interahamwe and in so doing secure their borders and prevent another Rwandan type genocide from occurring.

They continue to maintain this position until this very day, but this Rwandan/Ugandan explanation for their invasion of DRS is a lie. This is not a noble war about saving civilians from genocide or about protecting democracy from tyranny. Instead, this is a war

about self-interest and greed.

Despite limp and totally ineffective protestations by the United Nations, the world community has largely stood idly by and allowed these two men to prosecute what can only be described as the most vicious, senseless and bloody war being fought in the world today.

The cost of their actions to the DRC and its people is almost beyond measure. The scale and savagery of the crimes committed by the Rwandan and Ugandan armies in DRC compares to the abhor-

rent actions of the Nazi assault upon eastern Europe.

The International Rescue Committee has just released a 2001 survey of the death toll in DRC's war. For the 32 month period from August, 1998, until the end of March, 2001, an estimated 2.5 million civilians have died in the DRC. Of those, 350,000 people have died from violence and 2.2 million have died from disease and malnutrition arising from the adverse effects of the war on the region. IRC estimates that on average, 77,000 civilians have perished each and every month in the DRC. That is almost 2,500 civilians dying each day for almost the last 3 years.

Compare those numbers with the lost lives in Kuwait 10 years ago and the world's response to the Iraqi aggression. The world sent 350,000 troops to the Gulf to defend Kuwait. In 100 days, the combined military, naval and air forces of the western world had reduced the Iraqi military, one of the world's powerful armies, to

a burning hulk.

Then compare DRC suffering with the 2,000 lost lives in Kosovo 2 years ago. The combined air forces of NATO pounded Belgrade into submission and then indicted Milosevic for war crimes. We all remember how the western world responded to the Iraqi and Kosovo humanitarian disasters and flooded them with food, medicine, shelter and other aid.

I am ashamed to say, Madam Chair, that the western world has treated DRC like it has treated all the other African disasters it has helped to create. Too little too late. In January, 2001, the World Food Program issued a worldwide appeal for \$110 million for

urgent food aid to Congo. As of May, the World Food Program had received less than one-third of this amount.

Similarly, UNICEF had asked for \$15 million worth of essential drugs and therapeutic feeding centers, and to date UNICEF has received less than one-tenth of that amount. Incredibly, the principal aid sent by the U.S. to the region has been in the form of military

aid to the warring parties.

What we do know is that the U.S. Special Forces and U.S. funded private military companies have been arming and training Rwandan and Ugandan troops to deadly effect. I think it is appalling that the U.S. taxpayer should be directly assisting the military efforts of Rwanda and Uganda, the aggressors in this tragic conflict and who are confirmed by Amnesty International and Human Rights Watch as the authors of terrible atrocities against Congolese civilians. Our efforts in Africa have amounted to nothing more than bankrolling belligerents and mass murders.

What makes this conflict particularly sickening is the role of U.S. and European corporations, together with Rwanda and Uganda, in the plunder of DRC's resources. The recent U.N. report on the illegal exploitation of natural resources from the DRC made a series

of important findings.

Before going on, let me commend Madam Safiatou Ba-N'Daw and the other panelists on the U.N. panel for their work in presenting the U.N. Secretary General with a truly first rate investigative report on the theft of DRC's resources. The report concluded that there is mass scale looting, systematic exploitation of Congo's resources taking place at an alarming rate by the armies of Burundi, Rwanda and Uganda.

For example, the report finds that DARA Great Lakes Industry, of which DARA Forest is a subsidiary, is in collusion with the Ministry of Water, Land and Forests of Uganda to export timber from eastern Congo by falsifying the timber's origins. The countries actively buying this uncertified timber include USA, China, Belgium,

Denmark, Japan, Kenya and Switzerland

In May, 2000, DGLI, the parent of DARA Forest, signed a contract for forest stewardship certification with SmartWood and the Rogue Institute for Ecology and Economy in Oregon of the United States. This program amounted to nothing more than a scheme to facilitate the certification and extraction of illegally acquired tim-

ber from the Democratic Republic of Congo.

The same large scale theft of DRC's resources has been committed with respect to cobalt, gold, diamonds, coltan, silver, zinc, uranium and numerous other minerals. Significantly, DRC has some of the world's largest deposits of coltan, an important mineral critical for the maintaining of an electric charge in the computer chip industry. The price of coltan varies from \$100 to \$200,000 a ton varying on quality and availability. Business in coltan is booming, but it is not the Congolese who are getting rich.

There is an additional and very disturbing report from MISNA, the Catholic news agency, regarding Rwanda's actions with respect to the theft of DRC's resources. MISNA reported in February this year that the Rwandan Army is now setting up concentration camps in the Numbi area south of Kivu in order to have sufficient labor on hand to extract coltan and other precious minerals. It was this enslavement of innocent civilians and captured prisoners of war that drew some harsh criticisms against the Nazi and Japanese leadership from the Nuremberg and Tokyo war crimes tribunals.

In response to the findings by the U.N. special panel, the Rwandans have had the audacity to say that the Congolese people are benefitting from the mining trade in eastern Congo and that there has been an improvement in the Congolese welfare, security, health, education and infrastructure. That is almost like saying that the people of eastern Europe who were enslaved in quarries, underground mines and forced to work in dangerous conditions in automotive and munitions plants benefitted from the Nazi occupation of their countries.

Mr. Robert Raun, president of Eagles Wing Resources, a U.S. based company which trades in coltan, was reported to have de-

scribed the growing trade as capitalism in its purest form.

We need to support the recommendations of the Ba-N'Daw report. We need to end all military support for the Rwandan and Ugandan military forces. Our government should publicly condemn the governments of Rwanda and Uganda for their criminal actions in eastern Congo, and we should demand that an international tribunal be established in the Great Lakes to investigate and prosecute the violations of international law. We should call on our allies and the entire international community to join us in ending the conflict in DRC.

I would end with this. Is it that U.S. military bases in Uganda and Rwanda and easy access to DRC's resources are worth all of this? Thank you, Madam Chair.

Ms. Ros-Lehtinen. Thank you so much for a very eloquent open-

I would like to apologize to our sweet stenographer, who had to sign some papers next door and asked me to not start until she got back. No sooner than I got in my chair I banged the gavel open. I apologize.

Other than mispronouncing every name here in my paper, I pretty much stuck to the text if that helps you in any way. I am sorry.

I know that Mr. Smith has no opening statement because he is anxious to get to the witnesses, putting extreme pressure now on Mr. Tancredo for his opening statement.

Mr. TANCREDO. No opening statement. Ms. Ros-Lehtinen. Thank you. Thank you so much.

I would first like to start by introducing Father Jean-Bosco Bahala, a journalist and theologian by training. Father Bahala heads the Diocesan Social Communications Center for the Archdiocese of Bukavu in South Kivu.

The center has been central to the social work of the church and has been responsible for reinforcing efforts by civil society organizations in South Kivu to instill human rights and democratic values

and peaceful resolutions to conflict in the area.

Father Bahala also trains youth and other civil society groups on community level peace building and techniques of pacifist activism. He is a member of a regional network of human rights groups which actively monitor and denounce human rights violations in the area and has been a leader in the efforts by the Catholic church, together with Protestant churches and those in civil society, to create harmony among his people. We welcome the Father here today.

Joining us from Human Rights Watch is Mr. Suliman Ali Baldo, a senior researcher within their Africa Division. A native of and former leading dissident from Sudan, he monitors human rights de-

velopments in the Congo, Ethiopia and Eritrea.

Mr. Baldo has 15 years of experience in field based research and has written and co-written numerous short reports for Human Rights Watch specifically on the Democratic Republic of the Congo. Prior to joining Human Rights Watch, he conducted field research on the developmental role of migrant associations in Sudan, as well as being a field representative for OPSPAN America's development and disaster relief programs for the region of the Horn of Africa. We thank Mr. Baldo for being here.

Our third witness today will be Dr. Les Roberts, who is the director of the Health Policy Unit of the International Rescue Committee. Dr. Roberts has just recently put together a study on mortality rates in eastern Congo. He has worked for the Center for Disease Control and Prevention, as well as the World Health Organization, during the Rwandan civil war. Currently he is a lecturer at the John Hopkins University on development of geography and

environmental engineering where he teaches each fall.

Dr. Roberts will be followed Ms. Anne G. Edgerton. Ms. Edgerton comes to us virtually from the field as she has just recently returned from the Great Lakes region. Ms. Edgerton is a Great Lakes advocate for Refugees International with whom she has just concluded three missions to the region in the past 6 months to assess humanitarian needs in war torn regions in Africa.

Ms. Edgerton possesses over 10 years of experience with various international and humanitarian assistance programs through which she has organized multinational teams of observers, as well as trainings and conferences for the U.N. High Commission for Refugees and USAID. We thank you very much for being here with

Our final witness today, a journalist and author, will be Mr. Wayne Madsen. Mr. Madsen is an investigative reporter for many publications, including the Village Boys and CAQ, and served as an analyst on east Africa for ABC News in the aftermath of the 1998 U.S. embassy bombings in Kenya and Tanzania. He is the author of Genocide and Covert Activities in Africa, 1993 to 1999.

Thanks to all of you for coming and participating in this hearing. We look forward to your testimony that will be placed in full in the record, so feel free to summarize.

We are pleased to have with us in the audience the Ambassador of Congo to the U.S., who is the lady in red in the front row. Thank you, Madam Ambassador, for joining us today. We are very privileged to have you with us.

If we could start, Father, with your opening statement? We will control the clock. Thank you.

# STATEMENT OF FATHER JEAN-BOSCO BAHALA, DIOCESAN MEDIA DIRECTOR, ARCHDIOCESE OF BUKAVU, DEMOCRATIC REPUBLIC OF CONGO

Father Bahala. Thank you, Madam Chair, for the invitation to testify in this important hearing today. Many thanks also to all Members of this Subcommittee. I especially want to extend my heartfelt thanks to Congresswoman McKinney, Ranking Minority Member, for all the efforts and initiatives she has undertaken for the advent of peace in my country and in Africa.

I am a French speaker. Being a believer like you, I trust that the Holy Spirit is here with us this morning so that you can understand my terrible English. Because of the time, I will speak in

French.

Thank you, Madam.

[Father Bahala speaks in French.]

Ms. Ros-Lehtinên. Father, if we could just stop every few sentences? That would help us, although I think most of us understood more or less what you were saying. Thank you very much.

Go ahead, sir. If you could identify yourself for the record?

Mr. ALIMASI. My name is Ntal Alimasi, and I am a Ph.D. candidate at the University of Pittsburgh and serving as Father Bahala's interpreter today. Essentially this is what Father Bahala had said.

[The following testimony was given with the assistance of an in-

terpreter.]

Father Bahala. I come from a country that has been undergoing terrible tragedy in which the people fear that they have been abandoned by the entire international community. Today, all reports are making a case of a humanitarian catastrophe taking place where about 3,000,000 people have died and nobody is looking into it.

My church has been a witness to all the violence that has taken place in the region since 1990, especially the wars that have taken place in 1996 and 1998 in following the drama in Rwanda and Burundi, and that, you know, has been dramatic for the whole region.

Bishops, priests and nuns have been killed. Women have been raped. Women have been killed, and there have been massive rapes organized. As you probably heard, there has been an effort to even expand aid into the region by organizing massive rapes of women and girls.

Today, the situation has been described by almost everybody. This war that has been undertaken under the guise of protecting security of the nation is actually a systematic and very organized set and plundering of resources in the Democratic Republic of

Congo.

My intention today is not to come here and condemn some countries, et cetera. I come here with a message of peace, Madam Chair. What I want to say to the American people here—that is you, who are the first democracy in the world. How can you be so insensitive toward what is going on over there? Under the guise of security, how can security of a state cover the deaths and the massacring of 3,000,000 people? That is unacceptable.

The message that I have for you today is to ask the United States to play its role to stop what is going on, to ask all the states

that are fighting to leave the territory of the Congo, to help the

civil society to do what they can do to help the people.

Also, I am asking that, you know, the United States, you know, end every kind of help that they are giving to all those states that are predatory states in the Congo so that we can create a society that lives in a democracy.

I thank you, madam.

Ms. Ros-Lehtinen. Father, just 1 second.

Cynthia really speaks fluent French because she is translating right along with you, and she wants to make a little statement about the international awareness.

Ms. McKinney. The international tribunal.

Ms. Ros-Lehtinen. The part of the Father when he spoke about the international tribunal.

Father BAHALA. I ask that an international tribunal be created so that, you know, we can get everybody who has been involved in our ongoing persecution in the Great Lakes.

Thank you, ma'am.

Ms. Ros-Lehtinen. Thank you very much, Father. If you have a little bit more, that would be fine.

Mr. ALIMASI. Before you intervened, he was mentioning that he had documentation that he brought over.

Ms. Ros-Lehtinen. I apologize. Please go ahead.

Father Bahala. We have witnessed everything that was going on, so we brought with us documentation, including videos. For instance, when U.S. Ambassador David Scheffer came to Bukavu, the day he left there was a bomb that was planted that killed 14 people. We have that on the video. You also saw the pictures that were being shown.

We have brought that to put it together with the text, so those pictures will be in the documentation to submit.

[The prepared statement of Father Bahala follows:]

PREPARED STATEMENT OF FATHER JEAN-BOSCO BAHALA, DIOCESAN MEDIA DIRECTOR, ARCHDIOCESE OF BUKAVU, DEMOCRATIC REPUBLIC OF CONGO

#### INTRODUCTION

Thank you, Madam Chair for the invitation to testify at this important hearing today. Many thanks also to all the members of the subcommittee. I especially want to extend my heartfelt thanks to Congresswoman McKinney, Ranking Minority member, for all the efforts and initiatives she has undertaken for the advent of peace in my country and in Africa.

My name is Jean-Bosco Bahala. I am a diocesan priest of the Archdiocese of Bukavu in Eastern Democratic Republic of Congo and I head the Diocesan Social Communications Service (SEDICOS). This service has been central to the social work of the Church and has been responsible, together with other church-led initiatives like Justice and Peace Commissions, for reinforcing efforts by civil society organizations in South-Kivu province in Eastern DRC to instill human rights and democratic values, tolerance and the peaceful resolution of conflicts. In this regard, I am a member of the network of human rights groups in South-Kivu (Réseau des Associations de Défense des Droits de l'Homme), RADHOSKI, who have actively monitored and denounced human rights violations in the region.

This morning, I bring to you a message of peace. Yes, peace from a war-torn land, but also the cry of distress of the Congolese people to the people of the USA. I come to testify on the prospects for peace in my country, and on efforts by the Catholic Church together with the Protestant Church and civil society to create harmony among a distraught people. I would also like to share with you our insights on the situation prevailing today in Eastern DRC.

The Role of the Church

The Catholic Church in Bukavu is an organized and well-established structure that has had to confront the different conflicts that have torn the Great Lakes region apart since 1990. These circumstances have led the Church to engage in the search for peace through dialogues with local authorities, bearing witness to different international institutions, and educating the population in non-violent conflict resolution methods. Our church is the backbone of several community development efforts—we run hospitals, dispensaries and health care centers, institutions of primary, secondary and higher education, and are very engaged in the protection for the population through social and development programs.

In the last couple of years and because of our commitment to peace and human dignity, the Catholic Church of Bukavu has lost through violent or precipitated deaths, her pastors, Monsignor MUNZIHIRWA Christophe, assassinated on October 29, 1996 and Monsignor Emmanuel KATALIKO, who recently died in Rome on October 4, 2000, after seven months in exile imposed by the RCD rebels. This, because he dared to speak of peace, express outrage against attacks on a defenseless civilian population, and articulate the concerns of the population entrusted to his care.

As you are surely aware, in this war waged on the Congolese civilian population,

As you are surely aware, in this war waged on the Congolese civilian population, and against our will for four years now, which involves 7 regular armies and several other armed groups, it is estimated that 2.5 million Congolese have died. While this number in itself is shocking, it does not reveal the gravity of the suffering, hardship and torment that innocent Congolese civilians have endured: under the guise of waging war women have been buried alive; nuns have been raped, young girls and women sexually assaulted, and men killed.

With such incidents of increasing insecurity, the local population has tended to seek refuge in Church Parishes. The attackers have therefore turned to systematically attacking and destroying property belonging to the Churches. Churches and rectories have been burnt and priests and other clergy killed. Even hospitals and medical centers belonging to the church have been burnt. These attacks, often carried out in city centers, are routinely and without investigation, blamed on militias whereas by all accounts they are carried out by the occupying armies. This was for instance the case with the deliberate looting of the studio of my institution, SEDICOS that was broken into in November 2000.

Despite the attacks, destruction of property, and assassinations of religious personalities, the Church has embarked on the path towards peace. Recently the Church organized—despite its having been banned by the RCD in Bukavu—an International Symposium on Peace in Africa, in Butembo (North-Kivu), that brought together over 500 guests from across Europe, North America, and other African countries. The symposium was a concrete manifestation of our commitment to non-violence and peaceful cohabitation.

The symposium's main resolutions were:

- "To disarm our minds and recognize that all Congolese and all men and women concerned about peace are our brothers and sisters;
- To take human rights as our starting point in building peace;
- To break away from apathy, the corruption of lies and the search for personal interest in political life;
- To refuse to resort to violence, revenge and hatred in order to advance resolutely along the path of non-violence. Non-violence is the power of truth"

Our Key recommendations for the U.S.

International actors and institutions, with a view to bringing an end to the crisis in Congo and the Great Lakes region, have proposed several solutions and formulae. U.S. government officials from the State Department (War Crimes Office, Bureau of Democracy, Human Rights and Labor) and the National Security Council, and members of Congress have visited the region and have thus acquired first-hand a more accurate understanding of the nature of the conflict in Congo. With the advent of a new administration in both the United States and in Congo, we firmly believe the time is right for concrete action towards bringing the war in the Congo to an end.

We strongly believe that, as the only superpower in the world, the U.S.'s decisions have a huge influence on political actors in Central Africa region. This country can play a significant role in putting an end to the carnage that is going on there if the right pressure is applied on those forces fueling the conflict. Our aim is to seek solutions to the conflict in Congo that respect the expectations of the population and internationally recognized rights and obligations of peoples.

In order to better understand the present conflict in the Great Lakes region of Africa, it is necessary to recall the ethnic tensions and conflicts in the neighboring states of Rwanda and Burundi.

#### 1. THE GENOCIDE IN RWANDA AND ITS EFFECTS.

#### 1.1 A Brief Historical Survey.

The intensification of Rwanda's conflict began in 1990 when a portion of Rwandan citizens, of Tutsi ethnicity exiled since 1959, with the military support of Uganda where they had been based, decided to regain power in Rwanda by force. After the ensuing war, that occasioned a series of massacres, the Rwanda Patriotic Front (RPF) took power in Kigali. Amidst the RPF's incursions into Rwanda, and a rapidly deteriorating internal situation, the 1994 genocide in Rwanda occurred. The victory of the ethnic Tutsi in 1994 threw a tide of about two million Hutu refugees on Con-

golese territory.

Two years later, in 1996, a minor rebellion of the Banyamulenge, (Tutsi of Rwandan origin who for long had been living on Congolese soil), scorched the Eastern part of the Congo and expanded to the entire country. The reasons advanced for this rebellion was that they were fighting for their right to Congolese citizenship. However, this was only a pre-textual or limited explanation for the violence, since it became apparent shortly thereafter that the rebellion was also intended, or rather allied with forces determined to, destroy refugee camps housing Hutu from Rwanda (and Burundi)—these were for the most part innocent civilians who never had any conflict with the Banyamulenge. After watching with dismay as an army massacred tens of thousands of refugees and leaving even more unaccounted for, from refugee camps under UN protection, the local Congolese population was stunned at the silence and passiveness of the international community. Effective measures showing that the international community condemned these massacres were not taken. The Archbishop of Bukavu, Mgr. Christophe Munzihirwa, was murdered in this tragedy on October 29, 1996 because of his clairvoyance and his unequivocal stand on the turn of events in the region. Unfortunately, no one had listened to him and the RPF army thus eliminated a witness who had become too outspoken.

In the Kivu provinces, we have realized that under the tutelage of Uganda, Rwanda and Burundi, the Banyamulenge had been manipulated for other objectives. In 1996, Laurent Kabila was made the leader of this "rebellion." Thus, this largely externally engineered rebellion was made to appear as a (Congolese) civil war with a slogan of campaigning for "national liberation". In exchange, Kabila would get the military support from his allies to overthrow the ailing Mobutu dictatorship and seize power in Kinshasa. To settle once and for all his power in Congo, Kabila was made to clarify his stand vis-à-vis what several Congolese had begun considering as a political and military take over of Congo by Kabila's own allies. Under pressure from national public opinion, he decided to break ranks with those he had identified as Rwandan, Burundian and Ugandan mercenaries. The second so-called war of "lib-

eration" started right after that decision.

The motivations behind this new war, which began on August 2, 1998, differ depending on which audience is involved. While addressing the Congolese population, those orchestrating the war say it is intended to put an end to the dictatorship of Kabila, who is also accused of being responsible for genocide. However, the explanation given outside Congo is that it is necessary to avoid another genocide 1 in the region by protecting the borders of Rwanda and Burundi against incursions from Congolese territory. However, the Congolese people remain shocked, injured and bruised by this conflict foremost because of the ambiguity of the explanations for the current war. They cannot especially comprehend what necessitated attacks committed as far away as Kitona, Inga, Matadi and Kinshasa (far western cities of Congo), almost 2000 kms away from the Rwandan and Ugandan borders

It is incomprehensible that the occupying forces are still justifying this new war as necessary to defend and secure the borders of Cyangugu and Gisenyi, in Western Rwanda, and this, at the expense of Congo as if Congo itself has no right to a certain amount of security within its own borders. Our people do not comprehend why in order to prevent another genocide, banks and financial institutions of Bukavu, Goma, Uvira, and throughout occupied Congolese territory must be robbed. They do

genocide in this region"

 $<sup>^{1}...</sup>$  stop the genocidal killings and other local violence in Rwanda, Eastern Congo, and Burundi.".

rund.".

During the Entebbe Summit, on March 25, 1998, the engagement that banishes the genocide in Africa was taken when President Clinton declared that: "Our efforts came too late for yesterday's victims; they must be in time to prevent tomorrow's victims".

Susan Rice reaffirmed the same saying that "concrete steps must be taken to prevent another manufactured."

not understand why in order to avoid a new genocide civilians need to be slaughtered; shot at close range as happened in Kasika, Uvira, and Kalehe. They do not understand why the Rwandan and Ugandan armies ('allies' claiming to be only interested in protecting their security) have even fought each other on Congolese soil, as in the mineral-rich Kisangani area in June 2000, causing hundreds of causualties

and incalculable damage.

We have complained profusely about the violations of our most basic rights as human beings but the world has remained deaf to our screams. A stronger ideology, one against which every type of suffering and atrocity seems to have been made relative, has been put in motion. The genocide—Rwanda's genocide—has become "ideological" and functions like a blank check that the last US administration has granted to Rwanda's RPF government. In effect it works as a guarantee that they can escape scrutiny whatever their actions, and can therefore act in all impunity.

#### 1.2 The Official U.S. Position.

In December 1997, during the preparation of the visit of President Clinton to Africa, the Secretary of State, Dr. Madeleine Albright expressed that the US government was willing to enter into a new partnership with the people of the Great Lakes Region in Central Africa.<sup>2</sup> At the very beginning of this visit, precisely in Accra, (23 March–2 April 1998), President Bill Clinton presented the US's initiative as the act of "the African renaissance" for all Africans "longing for new hopes of democracy, peace and prosperity." During her tour in Africa from 26 October to 5 November 1998, Dr. Susan Rice, former Assistant Secretary for African Affairs, reaffirmed the engagement of U.S. in the search for means to restore peace and development in the region. However, the chorus of the genocide seems to provide the framework on which the new U.S. policy for Central Africa is drawn.<sup>3</sup> In fact, one would have expected that a new U.S. policy in the region would prioritize promoting peace, democracy and prosperity, rather than support an expansive war. However, this has been done; all—it is claimed—to avoid a new genocide.

#### 1.3 The Prevention of Genocide as a Dominant Ideology.

Saddled by this burden that has prevented our interlocutors from seeing through the limitations and consequences of their current policy, our claims and concerns have been silenced—we cannot even claim our right to be heard because there was a genocide. The entire international community with the U.S. spearheading, are expected to adopt the same attitude. There is manipulation of the international community's feelings of guilt for failing to intervene to prevent the 1994 Rwandan genocide. The Kigali regime invests considerable energy into making this strategy work, especially by reminding Western countries that they were apathetic in not intervening to prevent the genocide. This regime however forgets the strong influence that the U.S., its strongest ally, had on the U.N. Security Council at the time of the genocide. Under the influence of the U.S., on April 27 1994, the Security Council decided the immediately withdraw the United Nations Mission in Rwanda (MINUAR), thus putting an end to its mission at a moment when to avoid the worst a LIN presence was most proceed and should instead have been printered. worst, a UN presence was most needed and should instead have been reinforced. The Rwandan Patriotic Front has made good use of that mistake by carving for itself their right to act without scrutiny as long as it reminds a repentant international community of its inaction to prevent the 1994 genocide.

The report of the U.N. Secretary General Investigative Team (SGIT) to the Secu-

rity Council on July 1, 1998 made strong condemnatory allegations on the responsibility of the Rwandan army and forces loyal to Kabila in the massacres of tens of thousands of Hutu refugees in the DRC.<sup>4</sup> The Security Council responded on July 13 with a tepid, and half-hearted condemnation and recommended that further investigations be made and perpetrators brought to justice by Rwanda and the Congolese government. Instead of the word "genocide", "massacres" was the term used to chracterize the slaughter that was carried out in Eastern Congo. Indignant with the

<sup>&</sup>lt;sup>2</sup>In the immediate term, our goals in the Great Lakes region are to help: 1) stabilize the Democratic Republic of Congo . . .; 2) stop the genocidal killings and other local violence in Rwanda, in Eastern Congo, and Burundi and; 3) advance increased respect for human rights and humanitarian principles and the development of justice system (. . .)

<sup>3</sup>During her exchange with the Civil Society in Kinshasa (October 30, 98) Susan Rice reiterated that peace; development and a guarantee of a space for the ethnic Tutsi are objectives of US. (IRIN-CEA, 31/10/1998).

<sup>4</sup>This report states that the circumstances in which attacks against the camps of refugees inside the country were carried out in 1997 "display the deliberate intention to exterminate Rwans."

This report states that the circumstances in which attacks against the camps of refugees inside the country were carried out in 1997 "display the deliberate intention to exterminate Rwandan Hutu refugees" who had remained in Zaire. A possible interpretation of this phase of operations led by the AFDL (Alliance of the Democratic Forces for Liberation, Kabila's party) with the military support of Rwanda is that it had been decided to eliminate those Hutus. The confirmation of the above interpretation would lead to the recognition of another act of genocide.

inexplicably weak response of the Security Council, some human rights advocacy organizations such as Human Rights Watch and Amnesty International reacted with outrage. How could one explain the Security Council's resigned attitude towards in-

vestigating and punishing those responsible for these crimes?

Perhaps some of its members did prefer to keep the truth on the massacre of the Hutu refugees under the carpet in order to maintain the flawed impression that the Kigali regime was a pure "victim" that deserved protection from recurrence of genocide—a contention that would have been negated by calculated slaughter of innocent civilians by the RPF. Additionally, we know from other sources that the U.S. army trained the perpetrators of these atrocities and that there were sightings of U.S.

citizens (troops) when these massacres took place.

The joint report by Human Rights Watch/Africa and the International Federation of Human Rights (FIDH), "What Kabila is Hiding: Civilian Killings and Impunity in Congo," issued in October 1997, accuses the U.S. of being informed of Rwanda's intention to attack the refugee camps in Congo.<sup>5</sup>

#### 1.4 Our Stand on the Question of Genocide.

Any genocide, that of Rwanda included, is reprehensible and must be vigorously condemned. However, today, only five situations are somewhat universally recognized as having constituted genocides: that against the Jews in World War II, against the Armenians at the beginning of the century, the Pol Pot regime's genocide in Cambodia, the Bosnian war genocide, and finally that of Rwanda in 1994. Moreover, there are many suspects of genocide in our region. Are only groups that emerge as victors in military conflict entitled to claim to be victims of the genocide? Do we have to wait for the end of the massacres and needless deaths occurring in Congo for us to speak of another genocide? However, with regard to our region, since the 1994 Rwanda genocide where the Tutsi were the principal victims is the only one considered important, an effort must be made to establish objectively the direct and indirect, internal and external levels of responsibility for that genocide. We must always also keep in mind that this was a Rwandan genocide; that is, Hutu and Tutsi perished in it.

In general, the international community should avoid the manipulation of genocide, whether actual or in its prevention, because the concept—permit the term—"sells" so well today. And specifically, the fate of the Congolese people in bearing solely the burden of this dark period of our common, collective history should come

to an end.

#### 2. THE PHILOSOPHY OF GENERALIZED WAR.

#### 2.1 What is the War in Congo About?

The Congolese people see this war as a conquest aimed at fully controlling and managing the resources of Congo and their exploitation through Rwanda and Uganda as intermediaries. Due to this critical understanding, the people manifest a true attitude of resentment against the actual U.S. policy in Central Africa. The armies of Rwanda and Uganda, main allies of the U.S. in the region, are in fact occupying Congolese territory. Some eyewitnesses affirmed to have seen US military instruc-

a local source).

<sup>6</sup> It must be noted that the responsibility for certain key events related to the genocide is yet to be established, especially via an investigation of the authors of the April 1994 shooting of the plane carrying then Rwandan President Habyarimana. This is a potentially explosive issue to follow: a French Judge is investigating the alleged involvement of the actual Rwandan President in the shooting of this plane which occurred a few hours before the genocide began. There has been talk of a confidential memo by U.N. investigators specifying elements of proof implicating the RPF in this incident that the U.N. has neither released nor acknowledged.

7In an interview with Lynn Duke, (a correspondent of *The Washington Post*, July 14, 1998), on the massive military assistance of the U.S. to Rwanda, a member of Clinton's administration.

<sup>&</sup>lt;sup>5</sup> "The US provided Rwandan authorities with firm political support throughout its military campaign in Congo. Some well-informed witnesses declare that the American army has been training and assisting the RPA on Congolese territory. Some specific recommendations have been addressed to the U.S. government asking them to unveil the nature of their engagement with Rwanda and demanding that they suspend all tactical support and delivery of weapons to the RPA in Congo. Researchers like Bill Hartung have highlighted this U.S. involvement in military support for belligerents in the Congo. Some credible witnesses affirm that they have sighted some US military officers in Cyangugu, on the eve of the fall of Bukavu (28/10/1996, from

on the massive mintary assistance of the U.S. to kwanda, a member of Chindon's administration responded: "[T]o impose some military solutions to the conflicts in the Great Lake Region, it is necessary to establish a very powerful military regime." The military assistance granted to these two undemocratic regimes comes essentially from a special budget of the Pentagon. It the scrutiny of the Congress and the American public following a law enacted in 1981 that grants to the Pentagon millions of dollars every year to finance the operations of the U.S. Special Forces abroad.

tors training Rwandan troops in Deida, an island in Lake Kivu and in another military base in the Northeast part of Idjwi (South-Kivu). Although the U.S. administration speaks of a negotiated solution in favor of the integrity of the Congolese national territory and the respect of its existing borders, the genuineness of that commitment is put to question by realities on the ground. Why should they mainly favor

troops and weapons while they claim that peace is their primary goal?

The people consider the present war as an invasion initiated from outside and carried out under the disguise of a mutiny of the 10th and the 222nd brigades, based respectively in Goma and Bukavu. However, what are these two brigades to resist the Congolese National Army with the support of Angola, Zimbabwe, and Namibia? This "rebellion" is not an expression of the aspirations of the people, as some want public opinion to believe. It is instead the result of political intrigue built around the vengeance that Kabila's own old Rwandan and Ugandan allies had prepared against him. That is why the people reject it, considering it as another unjust war against them. In spite of months of falsehood, the people have shown their disapproval by boycotting different activities imposed by the RCD (Congolese Rally for Democracy), which is the political branch of the "armed rebellion."

The Congolese people absolutely do not endorse this war that they find unjustified. For them, it is an act of aggression from Rwanda, Uganda and Burundi. The people regard those Congolese who back it as dishonorable persons who are betraying their people and their country. This explains why the "rebellion" is unpopular.

#### 2.2 Conquest for an Undisputed Market

The real objective of this war can be traced to the "African Growth and Opportunity Act," a bill introduced in the American Congress in October 1997 by a group of American multinationals. This bill defines the new economic policy of the US in Africa. It recommends the elimination of taxes on most African products, the privatization of all the sectors of economy in Africa, the reduction of taxes imposed on multinationals, the elimination of all restrictions regarding investing in Africa, a revision of laws on the protection of the environment, as well as a project to create a free trade zone between the United States and Africa.

One would expect the often-mentioned new partnership between the U.S. and Africa that should usher in an "African Renaissance," to be built on free and bilateral agreements between States, rather than being the result of military imposition.

#### The war's major stake

The major stake in this war is the looting of the DRC's resources, not discounting all corollary fiscal exploitation. We witness a systematic looting of resources for the benefit of the aggressors and foreign companies. They administer the territory they militarily occupy as absolute colonies, with the complicity of some Congolese, depriv-

8, 1997, vol. 24, no 32.

Recently, the Paris Club of donors in collaboration with other sponsors announced loans worth two billion US dollars to Uganda. If the proportions of expenses of the State remain the same, this means Uganda will have available about a billion dollars for use in the aggression against

The economic situation of Rwanda is even worse where signs of famine have compelled the regime of Kigali to ask for food help.

<sup>. . .</sup> Some countries in the Great Lake Region, starting for instance with Rwanda, have favored and are still giving great importance to military strategies in which we Europeans have no part. Unfortunately, they look up to the one who provides them with weapons, military materials, as the more interesting partner. In our days, the U.S. in particular, is helping them in that sense." Julia Ficatier, Interview with Aldo Ajello, European Commissioner for the Great Lakes Region of Africa, La Croix, 8 May 1998.

Furthermore, the consequences of this war are being felt in Uganda as well: schools and hospitals are receiving only half of their monthly subsidies. Some ministers have declared that the rest is spent to sustain the war in Congo. The Ugandan people are not in favor of this action. (Reseau Européen Congo, No.11, December 4, 1998).

On November 12, 1998, Prof. Akiki Mudjandju, the dean of the Faculty of Political Sciences at Kampala University, denounced his country's military intervention in the DRC. This intervention was notably characterized by the nomination of General James Kasini, Ugandan army's Chief of Staff, to lead the troops of the forces of aggression, allied to the so-called "Congolese" rebellion. According to BBC, the weight of this war is becoming unbearable for the Ugandan economy. The State is dedicating half of its budget to military ends instead of allocating it for its socio-economic development. Prof. Akiki enjoined President Museveni to reanalyze the problem of security in Uganda, underlining that the solution is to be found in Uganda and not outside, in the DRC. (ACP, 14/11/1998).

"The World Bank is saying the Ugandan economy is doing very well, but Uganda is third from the bottom in the ranking of the least developed. It is descending. Life expectancy is dropping continually but they say that people are dying because of neglect" (. . .) "There are some American businessmen who have key interests in dealing with Museveni. They see Museveni as the new broom that can be used to sweep acro

ing the population of their rights, including the most basic, through a reign of terror and misery. Mgr. Kataliko was exiled from his diocese precisely for pointing out this exploitation that is on going and has recently been thoroughly attested to by the UN's Panel of Experts on the Illegal Exploitation of the DRC's Natural Resources.

UN's Panel of Experts on the Illegal Exploitation of the DRC's Natural Resources. Despite the condemnation of the illegal exploitation of the DRC's resources by the UN's Security Council and its extension of the mandate of the Panel of Experts, its failure to proceed to impose sanctions on these foreign powers will continue to leave in tact the mechanisms and opportunity for exploitation.

#### 3. THE PRESENT SITUATION AND THE CONSEQUENCES OF THE WAR ON THE POPULATION.

#### Catastrophic Humanitarian Situation

We live a daily humanitarian tragedy that is indescribable and unprecedented. The humanitarian structures of the Church such as hospitals, medical centers, nutritional and charity centers are unable to keep pace with the massive flow of the ever-growing numbers of the needy. Malnutrition, once a phenomenon afflicting mostly children, is now increasingly afflicting adults. Epidemics such as cholera, once confined to the some rural areas, are reappearing in the city, following the enormous exodus and concentration of populations fleeing the insecurity in rural areas.

A few reports by international agencies have documented the extent of this humanitarian disaster. In a recently released report following a survey of death rates in Eastern Congo, the International Rescue Committee concludes that the death rate due to the conflict in Eastern Congo is "shockingly high". It estimates the number of excess deaths since the beginning of the current war at 2.5 million, of which 350,000 were deaths directly resulting from the violent conflict. A UN official, Ms. Caroline McAskie, of the Office of Humanitarian Coordination stated during a meeting of the UN Security Council that about 16 million people, or about a third of the DRC's total population, are directly affected and impacted by the fighting.

Among some of the most atrocious consequences of this war on the civilian population are:

- A series of massacres, among which the massacre at Kasika is most often talked about (1099 casualties, all civilians). Other massacres have been committed in Makobola, Lusenda, Kilungutwe, Kamituga and Katogota.
- Internal displacement of the civilian population: for instance, entire villages are displaced and continually in motion between Bukavu and Kindu, fleeing from the terror of war. By our estimates, at least 1.5 million Congolese are internally displaced as a result of the war.
- Far from their houses and fields, the civilian population dispersed in the dense, equatorial forest are left without food, medicines, drinking water, and exposed to all sorts of epidemic outbursts and inclement weather conditions.
- The war has occasioned the crumbling of the educational system, with extremely high school dropout rates, and these youths being recruited into militias, and other armed groups.
- As confirmed by Congressman Frank Wolf who visited the region in January 2001, the situation of women is particularly precarious:

"Women live in fear. Soldiers—regardless of whom they owe their allegiance to—often treat them as prey. I heard horrific stories of rape, abuse and torture. Women are being raped in front of their husbands and children. One woman had her hands cut off after being raped; she now has a child she cannot care for. We were told that just two days before I arrived in Bukavu, a woman was raped in the marketplace at 10 a.m. and no one intervened."

As a result of this widespread use of sexual violence, the spread of AIDS is a real concern, especially since it is said that 70% of soldiers fighting in Congo are HIV positive and have been accused of raping women indiscriminately. Congolese human rights groups have documented hundreds of cases of rape perpetrated by soldiers.

Human Rights Watch even reported on a case of a Congolese woman being raped and forced to stand in a pit full of water in which a dead infant (foetus) was already floating from another woman who had miscarried earlier during her torture.

- Since the beginning of the war, 58 priests and other religious clergy have either been killed or wounded. The Church has thus been bearing the brunt of this war.
- Grinding to a halt of the local economy because of the degradation of financial institutions and banks. The strangling effect on the local population is aggra-

vated by their being cut off from all means of communications that are now controlled by the various militias spreading insecurity in all the occupied territory.

- Uncontrolled inflation, approaching a rate of 300% in just the first four months following the beginning of the war.
- Fear of large scale massacres and of the recurrence of crimes typically committed by the Rwandan Army (such as killings in Kasika, Kilungutwe, Bushaku, Bunyakiri, etc)
- A deep feeling of abandonment and isolation: nobody seems to be moved or willing to alleviate the acute humanitarian problems that the Congolese population is facing.
- An unjustifiable and excessive feeling of guilt is imposed on the conscience of the Congolese people: they are accused of participating in the genocide (or as sympathizing with the perpetrators of the Rwanda genocide) when they try to defend themselves after being attacked. They are treated as irresponsible or irrational whenever they try to speak out their mind; they were accused of subservience to the "dictatorial" Laurent Kabila regime whenever they insist upon the national unity of Congo. In fact, this last aspect misconstrues the reason for the similarity between the discourse from Kabila and the population: the latter's point being not so much to express support for Kabila the individual, but about affirming the principle of national identity and sovereignty as well as the territorial integrity of Congo. These are absolutes that no country will consider negotiable.
- Arbitrary detentions, abductions, tortures and murders ordered by the RCD against those who hold different opinions.<sup>8</sup> RCD/Rwanda authorities in occupied Eastern Congo have repeatedly silenced protest by human rights monitors and observers, as well as church and other civil society institutions in the region. They have taken high-handed measures against senior church leaders—such as the 7 month relegation of late Archbishop Emmanuel Kataliko of Bukavu, and specifically targeted church social institutions and human rights groups in the occupied regions for intimidation, attacks and lootings. Recent incidents of such Rwanda/RCD heavy-handedness include the obstruction of encounters by the Co-Chair of the U.S. Congressional Human Rights Caucus, Rep. Frank Wolf (R–VA), with civil society in occupied-Eastern Congo. This incident happened in January 2001.

This pattern of repression suggests a strong inclination to suppress potential sources of information to the outside world so that abuses can continue in the dark, which makes public diplomacy even more effective.

- With the complicity of the RCD, the invaders are terrorizing local traditional rulers and chiefs, forcing them to go underground in the countryside. In certain cases, Catholic priests and Protestant pastors have suffered from the same treatment. This behavior displays the political intention to decapitate a people by suppressing its traditional leadership.
- The freedom of speech and expression has been suppressed. We would say that in order to satisfy certain American and international viewpoints the Congolese people have been compelled to become subservient—without thought, without option, without action, in short, become non-existent.

In the Western part of the country controlled by the Government of Kinshasa, the situation is hardly better: famine, misery, and disease are compounded by unpaid salaries due to the war—in other words the generalized extreme poverty is the daily reality for Congo's citizens.

Human Rights organizations have also reported that in areas under government control, belligerent forces, including armies allied to the Kinshasa government have committed serious abuses. The war of occupation has also been used as an excuse for the suppression of fundamental freedoms and blocking the path towards democratization. Restrictions on freedom of independent media and freedom of political expression were particularly draconian under Laurent Kabila. Unjustified arrests, incommunicado detention, and harassment of human rights activists are also a recurrent problem. Everyone hopes that with the advent of President Joseph Kabila's regime, which has promised political openness and particular attention to improving the human rights situation, participation, freedom of opinion and speech and the beginning of the inter-Congolese dialogue will be possible.

<sup>8</sup> cfr. ALERT, No.6/1998.

#### 4. TODAY'S STRATEGY

#### The False Interahamwe

To perpetuate the ideology of the prevention of another genocide and protection of its borders, one core strategy has remained available to Rwanda's government: perpetuate the argument that the Interahamwe are responsible for the war, and that they are present and operate from the DRC. It must be made clear that the Interahamwe began as a Rwandan phenomenon. They were the militias that, in 1994, carried out massacres to maintain a dubious Hutu regime in power amidst the onslaught of a progressing Tutsi military power. At its root, this is the result of an ethnic and political problem, internal to Rwanda. However, ever since the tragic events of 1994, a new pattern has arisen whereby any and all armed insurgents seeking to combat Rwanda's current government are labeled—rightly or wrongly—as Interahamwe.

However, in many of the attacks upon the civilian population in the DRC—which some want to portray as exclusively the handwork of the Interahamwe—victims have attested to the fact that persons of Tutsi ethnicity were among the attackers. This has led to the conclusion that there are indications of a macabre strategy at work with the sole objective of creating and perpetuating some insecurity along Rwanda's borders through armed groups that terrorize the local population. These groups principally attack villages to in order to dislodge the local population. They then loot social centers, especially churches, in order to weaken an institution that represents a force of moral resistance to the occupation.

For the international community, this leads to confusion that confers upon the aggressors a pretext to stay in the occupied territories. On the ground, it gives enough time for the invading forces to settle and place the international community before a fait accompli: the presence of Rwandan settlers is in rapid expansion in Eastern DRC, through a war that has all the characteristics of an act of conquest. The exploitation that has ensued extends presently to up to a thousand kilometers (about 575 miles) beyond the borders of the aggressors, Rwanda and Uganda.

#### Justifications advanced for the war:

The occupying nations justify this war by claiming that they have to ensure the security of their borders, and prevent another genocide. The international community has believed this version with little objection, and even gone as far as tolerating and supporting it.

It will be necessary to undertake a thorough review of Rwandan security concerns in Eastern Congo and to redefine the U.S. role in creating regional security guarantees that eliminate the security concerns advanced by Rwanda and Uganda as bases for their intervention in the DRC. While at times disapproving the consequences of Rwanda's military action in Congo (i.e., the compromised territorial integrity of the DRC), U.S. policy has been caught between an understanding that Rwanda—at least during its initial forays into Congo—had real security concerns, but an equally clear understanding that there is no enthusiasm in Washington (or indeed anywhere else) for a massive and complex militia demobilization, and border security operation to stabilize the region.

The U.S. should acquire a more thorough and focused understanding of the precise nature of threats to Rwanda's security posed by remnants of genocidal militia groups in Congo. Good policy, or an eventual "security guarantees" arrangement cannot be made on the basis of speculations about the nature of these threats to Rwanda's security (i.e. Militia groups—their numbers, location, military strength, command structure, etc). This is the best check against the pre-textual use of unarticulated security concerns to justify a military presence and abuses which in their nature bear at best a tenuous relationship with guaranteeing security. While the previous administration's policy was based upon addressing the risks posed to Rwanda (i.e. its reason for 'understanding' Rwanda's military action in the Congo), it is unfortunate that U.S. policy largely failed to address the actual large-scale massacres (of both Rwandans and Congolese) that have taken place in the DRC, since 1996.

#### Fueling Ethnic tensions

According to a recent report by Human Rights Watch, Uganda is directly responsible for the ethnic war between the Hema and the Lendu communities in the Orientale province of Eastern DRC that has resulted in about 20,000 deaths since 1999. Recent accounts of events in the region indicate that the RCD-Goma is using the same strategy in a bid to create antagonism between the two main tribes of South Kivu, the Bashi and the Warega. Thus, a policy of "divide and rule" is gaining ground.

#### The Lusaka Accords

The Lusaka cease-fire accords are the fruit of inter-state negotiations to which the rebel factions backed by Rwanda and Uganda were parties. The International Community sanctioned the Accords and their implementation has often been delayed. Violations of the Accord that have occurred repeatedly are the consequences of its inherent shortcomings (especially the absence of any sanctions against those who violate the Accords). Although, the government of Joseph Kabila has lifted obstacles previously created by his predecessor, there is a clear impression that the belligerents want to keep the status quo that in effect maintains the partition of the country. Despite calls for the withdrawal of foreign troops and several resolutions of the UN Security Council, no real and concrete signs of willingness to match their declared intentions to withdraw is seen on the ground. On the contrary, troops withdrawn from the battle frontline are redeployed to the interior of Congolese territory where fighting with militias (such as the Mai-Mai) continues.

#### 4.1 Raising Awareness in the U.S.

It is for the foregoing reasons that we are kindly asking for your cooperation to awaken American public opinion to the misery and misfortune of the Congolese people. As a superpower and the principal ally of Rwanda and Uganda, the U.S., if willing, cannot lack means to remedy to the situation. This help should reflect the interest that the United States has always assigned to human rights and social progress. We are witnessing the troublesome consequences of a policy that in practice still favors a militarized solution to the Great Lakes conflicts and this is perceptible even if we are still unable to unveil all its political, economic, and military intrigues, whose obscurity prevents public opinion from unmasking its authors. We also know however the high consideration that the American public has for truth, respect for human rights, liberty, democracy and social progress.

#### 4.2 Knowledge.

We would like to ensure that American society is knowledgeable about what is happening in the Central Africa region. In fact, once well informed, it is best placed to move its authorities to promote a different strategy—one marked by dialogue and collaboration rather than war. We are confused by the discrepancy between the official declarations of the U.S. and the practical, military consequences of its policy on the ground. The official discourse espouses democracy, peace, equality and prosperity, whereas in the field we live the reverse: the unbridled dictatorship of an ethnic minority in Rwanda, Uganda, Burundi and currently in the East of the DRC. In the same way, instead of peace, we are crushed by a generalized war raging through the heart of the continent; instead of prosperity, we are struggling with misery and systematic plundering of private and national resources.

The assistance we are asking for will not exclusively benefit our country and people. We foresee in it a preventive measure that can spare the Great Lakes Region from the tragedy that entrenched politics of exclusion can lead to.

#### 4.3 Implications of this Approach

U.S. government officials are on record as saying that a country as big, rich and powerful as the U.S. is morally obliged to take steps in reducing the poverty of the Third Word. That is what should be the case but for the moment, our people are hardly receiving any assistance from your country. The US should send strong signals that it is conscious of the war economy and economic interests that are suspected of fueling conflicts in the region, and that serious consideration will be given to measures similar to the proposed Sierra Leone (conflict diamonds) Carat Act, UN diamond export bans on Sierra Leone & Angola, or the embargo on Liberia's diamonds, to create strong disincentives to economic adventures.

The population does not lack interlocutors and spokespersons. The civil society of the South-Kivu can be proposed as a courageous example. In their "Plan for Peace" (which has brought on them persistent repressive measures from the RCD), they have designed some peaceful ways to get out of this absurd war. As interlocutors, they need to be recognized by the great powers of this world, as a way by which the latter can show their political will and determination to find peaceful solutions to a conflict that has already left too many victims.

#### PATHS TO SOLUTIONS

In order to end this war of occupation:

1. The reality of the conflict in all its complexity must be made public. We salute to that effect the idea of deploying UN observers (MONUC), to ensure that the

- belligerents live up to their commitments, and ensuring a neutral observer presence.
- Real peace will never be achieved as long as the integrity of the DRC is threatened. The deployment of UN troops should be envisioned at its borders with the invading countries rather than along the combat front line, as stipulated in the flawed Lusaka Accords.
- 3. An inter-Congolese dialogue would not be effective without a more serene atmosphere and as long as occupation armies control the country. It is also a must to work simultaneously at resolving the internal problems of Rwanda, Burundi, and Uganda through an internal dialogue in their countries, as required from the DRC.
- 4. Good governance is a must in the DRC, and in the entire Great Lakes Region of Africa—this must be assured through governments that result from popular participation and are democratically chosen.
- 5. The Banyamulenge question is a question that can only be resolved by an administration of a peaceful Congo, in conformity with the Constitution of the country. Moreover, the wiser among the Banyamulenge have long come to the realization that those in power in Kigali are simply manipulating the Banyamulenge's legitimate concerns for their own objectives in DR Congo; these Banyamulenge groups have thus began searching for ways to peace.
- 6. An international structure to investigate, try, and punish all those guilty of war crimes and crimes against humanity—no matter their origin or perpetrators—is necessary to halt the culture of impunity that has settled in the region.
- 7. Support should be given to those forces in the population actively working on ways to peacefully resolve the conflict. It is imperative to associate all those active at the grassroots level in the peace process. Since they share in the devastation of war, it would be beneficial that they participate in peace building.

#### CONCLUSION

- 1. We ardently wish that the new U.S. administration play a strong role both in its bilateral relations in the region and within the international community in putting an end to the violation of basic human rights in DR Congo. It should also weigh heavily with its might to end this war and the occupation of DR Congo. Just as the international community moved and teamed up in favor of Kuwait against the Iraqi aggressor, the U.S. should—in light with the official position of the U.N. Security Council—re-consider, acknowledge, and articulate its policy around a realization that the DR Congo is a country invaded and occupied by three neighboring states. Therefore, appropriate mobilization to oblige the invading forces to leave would re-establish the integrity of its territory and allow each country to put together internal democratic structures conducive to development.
- 2. We believe that once foreign troops leave, a new form of international cooperation is possible in order to erect and rebuild what this war has destroyed, and jump-start economic activities presently paralyzed by this war. This will ultimately lead to regional economic integration, freely subscribed to by the people and nations the Great Lakes and Central Africa. We think that this offers a better guarantee for sustainable development and peace, and this has worked successfully in other seriously agitated regions. The European Union has become, thanks to economic cooperation, a peaceful zone on our planet after the two disasters of 1914 and 1945.
- 3. We are convinced that all the assistance can reach us rapidly to achieve our goals without allowing some states to use them to consolidate their might of violence and prolong the sufferings of populations battered by both warring parties.
- 4. Finally, we are committed to work to achieve justice, respect of human dignity and human rights, truth, brotherhood, and understanding in the sub-region.

We truly hope that the new administration takes our analysis into consideration, and that it will do whatever is necessary to restore peace in DR Congo and the Great Lakes region of Africa.

The Congolese people want peace and nothing but peace.

It is in order to contribute to building this peace that I testify today. We call upon you to re-echo the cries of the people of our country and to bring pressure on those who control the conflicts in the Great Lakes Region of Africa from behind the scenes.

While thanking you infinitely for the attention that you granted me, I hope the United States Congress will help define timely and concrete political proposals that will prevent the region from becoming a zone of permanent instability, where a culture of annihilation prevails over respect for the dignity of the human person. GOD BLESS YOU

Ms. Ros-Lehtinen. Thank you very much.

Mr. Baldo?

#### STATEMENT OF SULIMAN ALI BALDO, SENIOR RESEARCHER, AFRICA DIVISION, HUMAN RIGHTS WATCH

Mr. BALDO. Thank you, Madam Chair, for the invitation to testify at this hearing on the human rights situation in the Democratic Republic of Congo. My name is Suliman Baldo, and I am a senior researcher at the Africa Division of Human Rights Watch. This morning I will be commenting on the human rights abuses committed by the warring parties and the ensuing humanitarian crisis in the Democratic Republic of Congo.

We are very concerned because we find tragically realistic the recent estimates by the International Rescue Committee and other humanitarian agencies that the conflict has caused upwards of 2.5 million deaths among the Congolese population, resulting mainly from forced displacement and the resulting lack of food, water and

medical aid.

That link between rampant human rights abuses and the obviously manmade humanitarian disaster is becoming all too familiar in particular throughout the areas controlled by the foreign occupying armies of Rwanda, Uganda and Burundi and the Congolese

rebel groups backed by these regional powers.

This conflict has spawned serious and widespread human rights abuses and violations of international humanitarian law throughout the entire region. To achieve lasting peace and security in central Africa, the Administration and the international community must make accountability for these abuses a fundamental tenet of

Now I will cover the human rights situation in the government area. The more serious violations there are consistent refusals of the right to liberty and security of the person. President Joseph Kabila has promised new respect for civil liberties and to return to a state based on law, but he has yet to initiate any reform of civil-

ian justice.

Actions on the urgent question should include a review of persons currently detained in prison. President Kabila should order the release of all those held without charges or credible suspicion

of guilt.

The new president has also promised improvements in the military justice system. He should begin by abolishing the abusive Court of Military Order, whose rulings cannot be appealed. He should also insist on greater order and transparency in the inves-

tigation of the assassination of the elder Kabila.

Much of the current ethnic tensions in the Congo are rooted in Mobutu Sese Sekou's attempts to strip Congolese of Rwandan ancestry of the right to Congolese citizenship. President Kabila should speak out firmly about the common citizenship and rights of all Congolese, regardless of ethnic group or region of origin.

It is in rebel areas where human rights abuses and humanitarian violations of international law are the most rampant. The rebel Congolese Rally for Democracy, known as RCD-Goma, controls part of North Kivu, South Kivu, Maniema, Orientale and Katanga provinces in the east and the southeast. Human Rights Watch holds that these areas should be considered as under occupation by Rwanda and partly by Burundi also.

As amply documented by Human Rights Watch recent reports, combat between the RPA and its Congolese allies of the RCD-Goma on the one hand and Rwandan combatants on the other frequently resulted in indiscriminate attacks on Congolese civilians across the

board.

My full statement has been submitted for the record, so I would focus now on our recommendations and perhaps come also to the analysis that led us to these recommendations if I find the time.

We strongly recommend to the United States to strongly and publicly denounce violations of international humanitarian law by all parties in the DRC war and insist upon accountability for the perpetrators. Exert strong and consistent pressures on all foreign countries involved in the war, as well as on the Congolese government, to observe their obligations under international humanitarian law and exert similar pressure on rebel groups and local militia to also observe the prescriptions of these laws.

Support measures to document crimes against humanity and other gross violations of international humanitarian law during this conflict. The U.S. should encourage the U.N. Security Council to resume an investigation into these crimes stalled since 1998 probably through the establishment to find facts about these crimes and to prepare for possible prosecution of perpetrators. They should ensure that adequate resources are provided for these investigations

We call on the U.S. to press President Kabila to implement the promised reforms of the civilian and military judicial systems, and we ask that the U.S. call on rebel groups and their backers to ensure that civil society be permitted to function without interference.

We ask that the U.S. insist that all parties to the conflict instruct their forces to abide by the obligations and the international humanitarian law and to demand that all parties involved in the war immediately cease the recruitment and use of child soldiers.

We ask that the U.S. increase its humanitarian aid to the DRC and involve local non-governmental organizations in its distribution. We ask that the U.S. support the strengthening of the human rights part of the mandate of the U.N. mission to the Congo.

With regards to the link between humanitarian disasters and human rights abuses, I would like to give the example of the war in areas controlled by Uganda. This war in a small district of the Congo, but a heavily populated district, has caused the deaths of upwards of 7,000 civilians in its 2 year duration and displaced 200,000 people.

Uganda, as an occupying force, has played a major role in manipulating ethnic tensions and leading to this level by intervening on their side of the conflict by supporting particularly the Hema, but also by acting as mercenaries hiring out soldiers of the Ugandan

army for payments to their commanders on the ground.

Uganda had accepted to train Mai Mai soldiers in August of 2000, and Uganda, when it ended that alliance 3 weeks later, bombed the camp of the recruited Mai Mai and executed, as we report in our latest report of March, 2001, the wounded combatants, which is a violation, a great violation, of international humanitarian law.

Uganda in fact has trained both Hema and Lendu because of its involvement in manipulating that conflict, so the war has created local conflicts behind the major lines of confrontation. This local situation is responsible for the kinds of disastrous figures that the International Rescue Committee has established.

Thank you, Madam Chair and all Members of the Committee for your attention.

[The prepared statement of Mr. Baldo follows:]

PREPARED STATEMENT OF SULIMAN ALI BALDO, SENIOR RESEARCHER, AFRICA DIVISION, HUMAN RIGHTS WATCH

Thank you, Madam Chair, for the invitation to testify at this hearing on the human rights situation in the Democratic Republic of the Congo (DRC). My name is Suliman Baldo, and I am a senior researcher at the Africa Division of Human Rights Watch. This morning I will be commenting on the human rights abuses committed by the warring parties and the ensuing humanitarian crisis in the DRC.

Human Rights Watch is deeply concerned about the continuing carnage and waste that the war has unleashed on the population of the DR Congo. From our own coverage of the humanitarian and human rights costs of local conflicts spawned by the larger war, we find tragically realistic the recent estimates by the International Rescue Committee and other humanitarian agencies that the conflict has caused upward of 2.5 million deaths among the Congolese population, resulting mainly from forced displacement and the resulting lack of food, water, and medical aid.

The link between rampant human rights abuses and the obviously man-made humanitarian disaster is becoming all too familiar, in particular throughout the areas controlled by the foreign occupying armies of Rwandan, Uganda, and Burundi, and the Congolese rebel groups backed by these regional powers. In addition to these forces, other perpetrators in the eastern half of the country include Rwandan and Ugandan insurgents fighting the armies of their respective national governments on Congolese soil. Among the Rwandan insurgents are some who participated in the 1994 genocide in Rwanda. In many localities, local rural militia known as Mai-Mai are also committing abuses against the civilian population, although other Mai-Mai groups are protecting their communities. In the disputed territories of Equateur and northern Katanga, government forces (Forces Armeés Congolaises, FAC) have also conducted recent reprisal attacks on civilians accused of supporting the rebels.

Whenever any of these forces attack villages, markets, churches, hospitals, or other civilian locations, large numbers of civilians flee their homes and fields. The destruction of their properties and crops renders them totally destitute and undermines their traditional survival strategies and community based support structures. Many heads of households are killed, and many of the young either are forcibly conscripted by the rebels and their backers, or opt to become Mai-Mai fighters to defend their communities against the generalized insecurity. A dearth of outside humanitarian assistance contributes to the aggravation of the crisis. As a result, malnutrition rises; infant mortality skyrockets, and people succumb to curable diseases because they can no longer afford even minimal medical care.

This conflict has spawned serious and widespread human rights abuses and violations of international humanitarian law throughout the entire region. To achieve lasting peace and security in Central Africa, the administration and the international community must make accountability for these abuses a fundamental tenet of their policy.

#### THE PEACE PROCESS

Parties to the conflict generally ignored the Lusaka ceasefire agreement for more than a year and a half, responding hardly at all to diplomatic initiatives like the three days of discussion at the U.N. Security Council in January 2000 and numerous diplomatic missions to the region. But they finally began to move towards implementation in February 2001, following the death of Laurent Kabila and the in-

stallation of his son Joseph Kabila as the Congolese president. All of the major parties began pulling their troops back from their most advanced positions along the frontline of the international war.

Promising though these developments are, it is unlikely that this withdrawal will immediately end the many local conflicts that have been exacerbated by war at the national and international levels. We want to caution against early optimism: troops are disengaging but not withdrawing at present; the Rwandan Patriotic Army reportedly increased its presence in the Kivus; and support by the Kabila government for the Hutu combatants fighting the governments of Rwanda and Burundi has not yet entirely stopped.

#### GOVERNMENT-CONTROLLED TERRITORY

#### Promises of internal reforms

Joseph Kabila has promised new respect for civil liberties and a return to a state based on law but he has yet to initiate any reform of civilian justice. Action on this urgent question should include a review of persons currently detained in prison. President Kabila should order the release of all those held without charges or credible suspicion of guilt. The African Association for the Defense of Human Rights (ASAHDO), one of the leading monitoring groups in the Congo, estimates that at least 200 political prisoners continue to be detained without charge. ASAHDO itself has been harassed by the Congolese government and its security forces. Authorities detained the head of the Association's chapter in Lubumbashi in mid-February, and continue to hold him without charges on suspicion of involvement in the assasination of the late President Kabila. On May 15, agents of the National Intelligence Agency briefly detained the acting chairman and an activist of ASADHO in Lubumbashi and interrogated them overnight about a meeting they had at the Belgian consulate. Indicative of the distance between discourse and realities in the DRC is the fact that ASAHDO's national office in Kinshasa remains closed down following a 1998 government raid, despite informal promises by Joseph Kabila's minister for human rights that the association would be allowed to function openly.

The new president has promised improvements in the military justice system. He should begin by abolishing the abusive Court of Military Order, whose rulings cannot be appealed. He should also insist on greater order and transparency in the investigation into the assassination of the elder Kabila. The international commission of inquiry in charge of this investigation, which has representatives from the allied governments of Zimbabwe and Angola in addition to Congolese officials, now detains fifty-eight persons incommunicado, without charges or legal representation.

In January President Joseph Kabila established a commission to set terms for the national dialogue with other political forces, as specified in the Lusaka Accords. On March 4 the government and three main rebel groups signed the "declaration of Lusaka" which laid down the general principles for the inter-Congolese dialogue. However, leading opposition parties in Kinshasa continued to boycott the preparatory commission since the current legislation does not recognize the existence of political parties. The political opposition and civil society groups continue their own preparations for the dialogue but are increasingly apprehensive that the government will focus its attention on the participation of the armed opposition and try to marginalize them.

Much of the current ethnic tensions in the Congo are rooted in Mobutu Sese Sekou's attempts to strip Congolese of Rwandan ancestry of their right to Congolese citizenship. President Kabila should speak out firmly about the common citizenship and rights of all Congolese, regardless of ethnic group or region of origin.

#### REBEL AREAS

#### The Congolese Rally for Democracy-Goma in Rwandan occupied areas

The rebel Congolese Rally for Democracy, known as RCD-Goma, controls parts of North Kivu, South Kivu, Maniema, Orientale, and Katanga provinces in the east and southeast. Human Rights Watch holds that these areas should be considered as under the occupation of Rwanda. Parts of South Kivu are also jointly occupied by Burundi. We have received credible reports indicating that Rwandan Patriotic Army troops withdrawn in mid-March from the front lines have not left the country, but were instead redeployed elsewhere in South and North Kivu. They may be intending to try to eliminate Rwandan combatants now known as the Democratic Forces for the Liberation of Rwanda. Redeployment may also be meant to permit more intensive exploitation activities in certain mining zones.

As amply documented in Human Rights Watch's reports "Eastern Congo Ravaged: Killing Civilians and Silencing Protest, May 2000" and "DRC: Casualties of War: Civilians, Rule of Law, and Democratic Freedoms, Feb. 1999," combat between the

RPA and its Congolese allies of the RCD-Goma, on the one hand, and Rwandan combatants, on the other, frequently results in indiscriminate attacks on Congolese civilians accused of supporting the other side. Since the beginning of the current war, RPA-RCD-Goma soldiers have committed massacres against civilians in several villages of eastern Congo, including Kasika (19998), Makabola (1999), Katogota (2000), and Lusende (2000). Equally Hutu rebels and Mai-Mai militias have committed grave abuses, including massacres at Shabunda and Sake in 2000. Both parties have used sexual violence against women as a weapon of war to punish and humiliate communities they suspect of supporting their opponents. The RCD-Goma and the RPA continue to forcibly recruit Congolese adults and children, a campaign that has reached alarming rates as of the last quarter of 2000. They have also transferred from Rwanda the system of Local Defense Forces, which enroll local people many of them shills are in supportant and the system of Local Defense Forces. ple, many of them children, in counterinsurgency at the village level.

Rwanda has recently launched an effort to assure it a lasting influence in the Kivus, even if it were to withdraw from the Congo. It has sent hundreds of Congolese community leaders, civil service officials, and youth and women activists to training sessions in Rwanda where they undergo intensive indoctrination and limited military training. On March 18, 2001, the top leadership of the RCD-Goma was on hand in Rwanda for the graduation ceremony of some 400 Congolese local leaders

who had just finished a two-month session.

The RCD-Goma has a long record of harassing human rights defenders. The activities annually organized by local women rights groups in Bukavu to mark the international women day on 8 March were forbidden this year. Recently, RCD security agents repeatedly interrogated activists of Heritiers de la Justice, a leading monitoring group in South Kivu. In October 2000, RCD-Goma security agents broke up a coordination meeting among several human rights organizations in Bukavu; beat up the participants publicly, and briefly detained them in a military camp. In Goma, agents summoned activists of two other human rights organizations and told them not to speak to Roberto Garreton, the U.N. Special Rapporteur on the DR Congo, during his March visit to the region.

The Front for the Liberation of Congo in Ugandan occupied areas

The Movement for the Liberation of Congo (Mouvement pour la Libération du Congo, MLC), headed by Jean-Pierre Bemba, controls much of Equateur province in the north. By early 2001, it had established its sway over another, less well organized rebel group, the Congolese Rally for Democracy-Liberation Movement (Rassemblement Congolais pour la Démocratie-Mouvement de Libération (RCD— ML), which claimed to control parts of North Kivu, and Orientale provinces in east-ern Congo. Uganda engineered this merger among its Congolese rebel allies to unify their military against the government alliance, and to shield it from increasing international scrutiny of its role in manipulating local political divisions and ethnic

conflicts as a means of consolidating its control over these resource rich areas.

Uganda reacted angrily to the release in mid April of the report of the U.N. Panel of Experts on the Exploitation of National Resources and other Forms of Wealth of the DR Congo, threatening at one point to withdraw from the Lusaka peace process. Under international prodding, Uganda dropped the threat and committed to withdraw its troops from the country, saying that they have accomplished their mission of defeating the insurgent Allied Democratic Forces (ADF).

Human Rights Watch in March 2001 published the report "Uganda in Northeastern DRC: Fueling Political and Ethnic Strife" which documented the following abuses in areas occupied by Uganda near the border between Uganda and the DRC:

Ugandan military forces have played a decisive role in local affairs, even changing administrative boundaries and designating provincial officials, taking advantage of an administrative void resulting from continuing disputes among the various off-

shoots of the Ugandan-sponsored RCD-ML.

Within the context of the broader war and the continuing political conflicts, a small-scale dispute over land between Hema and Lendu peoples in northeastern DRC, one of many which previously appeared to have been settled peacefully, grew in scale and intensity. The Hema were thought to enjoy general support from the Ugandans, attributed to a supposed ethnic bond between the Hema of the DRC and those of Uganda. From the first violence in June 1999 through early 2000, an estimated 7,000 persons were killed and another 150,000 were displaced. In the most recent incident of violence in January 2001, another 400 people were killed during one day of violence in Bunia and at least 30,000 people were forced to flee the re-

The perception that the Ugandan army supported the Hema was made real in many communities by Ugandan soldiers who helped Hema in defending their large farms against Lendu attack and who helped Hema militia attack Lendu villages. In some cases, these soldiers provided support in return for payments to themselves or their superior officers. In at least one case, Ugandan soldiers also assisted Lendu in attacking Hema. In one reported clash Ugandan soldiers backing different sides engaged in combat against each other. The assistance of Ugandan soldiers as well as the provision of training and arms to local forces resulted in a larger number of civilian casualties in these conflicts than would otherwise have been the case.

Under the guise of creating an army for the rebel movement, Congolese political leaders developed their own groups of armed supporters, bound to them by ties of personal and/or ethnic loyalty. On several occasions in the last two years, these armed supporters have engaged in operations in which civilians were killed. Uganda trained these groups even when it seemed likely that they would be used in local ethnic and partisan conflict rather than as part of a disciplined military force.

All parties, including the Ugandans, recruited and trained children to serve as soldiers. In August 2000 Uganda transported some 163 children, part of a larger group of 700 recruits, to Uganda for military training. Only in February 2001 did the government of Uganda grant various international agencies access to these children with a view to their demobilization and resettlement.

Contending RCD-ML political leaders Wamba dia Wamba and Mbusa Nyamwisi as well as Uganda People's Defence Force (UPDF) soldiers have illegally detained political leaders whom they have identified as opponents and held them under inhumane conditions. In some cases the UPDF and RCD-ML forces have tortured political results.

ical opponents in detention.

The RCD-ML's "prime minister" Mbusa Nyamwisi, a local leader from a third powerful ethnic group, the Nande, sought to increase his power base by allying with Mai-Mai forces, groups of local militia who had been fighting largely to expel foreign occupiers of their territory. Originally ready to tolerate this alliance, the Ugandans then rejected it. In subsequent conflicts with the Mai-Mai, Ugandan forces as well as Congolese rebels loyal to Mbusa extrajudicially executed captured Mai-Mai combatants. Subsequently, the UPDF attacked local people thought to have assisted the Mai-Mai, killing civilians and laying waste to their villages.

Mai-Mai, killing civilians and laying waste to their villages.

Ugandan soldiers also formed and supported the front organization called RCD-National, which appeared to be an operation to extract and market the rich mineral resources of the Bafwasende area rather than the political party which it claimed to be. This blatant exploitation of Congolese wealth for the benefit of both locally based and other more highly placed Ugandan military officers symbolized the larger

exploitation of the whole region for the benefit of outside actors.

#### RECOMMENDATIONS TO THE UNITED STATES

- 1. Strongly and publicly denounce violations of international humanitarian law by all parties in the DRC war and insist upon accountability for the perpetrators. Exert strong and consistent pressures on all foreign countries involved in the war as well as on the Congolese government to observe their obligations under international humanitarian and human rights law. Exert similar pressure on rebel groups and local militia to also observe the prescriptions of such law.
- 2. Support measures to document crimes against humanity and other gross violations of international humanitarian law during this conflict. The U.S. should encourage the U.N. Security Council to resume an investigation into these crimes stalled since 1998. It should ensure that adequate resources are provided for these investigations.
- 3. Press President Kabila to implement the promised reforms of the civilian and military judicial systems, to permit the promised openness to political parties, human rights groups and other forms of civil society. It should insist that he issue immediate orders that the Congolese army observe the rules of international humanitarian law and bring to justice those who violate this law.
- 4. Call on rebel groups and their backers to ensure that civil society be permitted to function undisturbed in zones under their control.
- 5. Insist that all parties to the conflict instruct their forces to immediately observe the rules of international humanitarian law and hold accountable any of their combatants who fail to do so. All parties should allow unfettered access and the neutral provision of humanitarian assistance to all populations in need.
- Demand that all parties involved in the war immediately cease the recruitment and use of child soldiers and provide for their demobilization and reintegration into society.
- Increase its humanitarian aid to the DRC and involve local nongovernmental organizations in its distribution.

Support the strengthening the human rights part of the mandate of the UN force in the DRC so that human rights monitors are deployed in all locations where observers are present.

Ms. ROS-LEHTINEN. Thank you. Thank you so much to both speakers for keeping to the time also. We really appreciate it.

I have a series of schools that are waiting for me at the Capitol steps. Ms. McKinney has been kind enough to excuse me already, and I would like to ask when we come back from this vote to have Mr. Tancredo and Mr. Smith chair the rest of the Subcommittee. I will do my best to come back, but I make no guarantees. Children have all kinds of questions.

Thank you so much, and thank you again, Ms. McKinney, because you are really the force behind this hearing. We are glad to do a follow up to see what has happened later on this year. We thank you for that.

We that, the Committee is just briefly recessed. Thank you.

[Recess.]

Mr. TANCREDO [presiding]. The Committee will come to order. We will continue where we left off.

Dr. Roberts, please. Welcome.

## STATEMENT OF LES ROBERTS, DIRECTOR OF HEALTH POLICY, INTERNATIONAL RESCUE COMMITTEE

Mr. ROBERTS. Thank you very much. Given the excellent opening remarks and the flattering referrals to most of the results in our survey already, I will abbreviate what I was going to say quite a bit and just say that I am honored to be here, and I am very hopeful that this will be a first step toward the world's unveiling of this crisis.

Since 1996, the International Rescue Committee has been working in eastern DRC primarily supporting basic health care and public health services. As part of these activities, we have conducted 12 mortality surveys and interviewed over 2,800 households. Our surveys in the eastern DRC have been limited geographically, of course, because of security concerns. Nonetheless, these surveys have been conducted in seven widely dispersed areas containing about 1.3 million people.

The surveys have been done with exceptional care to avoid biases and we believe represent the seven areas as accurately as is possible given the constraints of war. They are probably the best mortality data for DRC at this moment. At the team leader on ten of those 12 surveys, I would like to spend my very limited time on three things; what we know for sure, what we think these results

mean and what we would like you to do.

From our surveys, we know that, as has been said, one in eight families have experienced a violent death, and most families have experienced a death; that children are dying at just an extraordinary rate. In two areas that we surveyed with about 300,000 people total population, so these are not just little villages—these are big areas—75 percent of kids die before they turn two. That is a level of suffering I do not think many of us have seen since Somalia in the early 1990's.

On average, the death rate is three or four times what we would expect, and we quite consistently in our samples see more deaths reported than births, meaning those populations are going down, where before the war they were growing at 3 percent per year.

There are two groups, the World Food Program in South Kivu and the MERLIN in Maniema Province, that have done surveys in very focused areas and have come up with results that indicate results very close to our findings.

Finally, non-violent deaths are correlated both across places and across time to deaths from violence. What I meant to say there is where there is the most violence, there are the most deaths from

malaria, measles and diarrhea.

Now, what do we think this means? This is where we begin extrapolating a little bit beyond our 1.3 million people. We think this means in the east about 3.5 million people have died, perhaps 2.5 million more than should have died since the war began, and that about 350,000 of these deaths or 14 percent of the excess deaths have been due to violence.

We think that it would be relatively easy for some body of the U.S. Government, such as the CDC's refugee health branch, to confirm these findings. The areas which we report as experiencing the most deaths, that is Katanga Province and the Kivus, have experienced dramatic improvements in security over the last 6 months, and the level of mortality that we are describing will be relatively easy to identify in a survey with a small sample size.

Now the important part, what we would like you to do. First of all, I would like the U.S. Government to verify the results of our survey. Two to three million people dying is too horrifying a possibility to go uncorroborated. I feel that our work is epidemiologically

rigorous, as rigorous as the constraints would permit.

Given that it was funded by the Gates Foundation, it removes sort of the appearance that this was conducted with some political motivation due to a donor. Nonetheless, these results, like all science of political and social importance, should be independently corroborated.

We would like to see the development of a coherent, comprehensive, consistent U.S. policy that incorporates aid and diplomatic efforts to all the countries involved in this crisis. I perceive quite

strongly that this is not occurring now.

Finally, we would like a humanitarian response that is proportional to the level of this crisis. As I mentioned, the areas accessible to NGOs have increased dramatically in the past 6 months, and many things could be done which are now not undertaken for lack of funds.

These things would include increasing access to humanitarian air transport, vaccinating against measles, supplying clinics so they can treat the most common diseases such as malaria and diarrhea, assuring that malnourished people who arrive in safe havens can

receive therapeutic feeding.

In March, I visited a feeding program in Maniema Province that could only accept children less than 5 years old. Severely malnourished 6-year-olds were sent home for lack of funding. While this is indeed a poor country and there will never be enough funds to cure all the ills, the level of anguish which OFDA employees and NGO workers in the field endure in order to ration out the available compassion is quite unusual, even for an African crisis. Your ele-

vating this crisis I believe would improve coordination between donors dramatically, which is needed as well.

Again, I cannot thank you enough. If you want the results of our study they are on the Web at IRC's Web site. I look forward to the questions and answers.

[The prepared statement of Mr. Roberts follows:]

PREPARED STATEMENT OF LES ROBERTS, DIRECTOR OF HEALTH POLICY, INTERNATIONAL RESCUE COMMITTEE

Good morning,

I am particularly honored and delighted to be with you today. My delight stems not just from the personal honor your invitation bestows upon me, but because this hearing is potentially an important step toward the entire Western World grappling with one of the most difficult and deadly crises to unfold anywhere on our planet in recent decades. The complexity of this conflict, the paucity of information in eastern Congo, the lack of press and information-promoting facilities such as embassies or hotels, and the low level and geographically dispersed nature of the violence there, have all conspired to keep this conflict from the world's view. It is my sincerest hope that these hearings will contribute significantly to the "unveiling" of this crisis.

Since 1996, the International Rescue Committee has been working in the eastern Democratic Republic of the Congo (DRC). We primarily support basic health care and public health services. As a part of these activities, we have conducted 12 mortality surveys and interviewed over 2,800 households. Our surveys in the eastern DRC have been limited geographically by security concerns. Nonetheless, these surveys have been conducted in 7 widely dispersed areas containing 1.3 million people. The surveys have been done with exceptional care to avoid biases, and we believe they represent the seven areas visited as accurately as the constraints of war permit. They are probably the best mortality data available for DRC at this moment. As the team leader on 10 of those 12 surveys, I would like to spend my limited time on three things: what we know, what we think our results mean, and what we would like you to do.

From our surveys we know:

- that one in eight families has experienced a violent death, and most families have experienced the loss of a household member since August 1998.
- that children are dying at an extraordinary rate. In two locations (Moba and Kalemie) 75% of children appear to be dying before their second birthday. Everywhere that we have been, within the population there is a shortage of the youngest children compared to 3 and 4 year-olds.
- that the average death rate in the seven eastern areas we have surveyed is 3 to 4 times higher than we would expect. In every area we have surveyed, the number of deaths equals or exceeds the number of births. This is occurring in a population that was known to be growing at 3% per year through the early 1990's. Thus, this is not just the further decay of health conditions following President Mubutu's Zaire. This is something new, and something far worse. Two recent surveys by other groups (WFP in South Kivu Province and MERLIN in Maniema Province) examining specific areas have indicated findings consistent with those we have reported.
- and finally, the death from non-violent causes is correlated across places and across time to death from violence. That is to say, where there is the most violence, there are the most deaths from malaria, measles, and diarrheal disease

We think that these results imply that:

- somewhere in the neighborhood of 3.5 million deaths have occurred in the eastern DRC since the onset of this war, 2.5 million more than would have been expected under non-war conditions.
- about 350,000 of these excess deaths (14%) have been due directly to violence, while the other excess deaths are associated with the displacement, economic disruption, and health system dysfunction that so often accompany war.
- it would be relatively easy for some body of the US Government, such as the CDC's Refugee Health Branch, to confirm these findings. The areas that we report to have experienced the most excess deaths (Katanga Province and the

Kivu's) are experiencing improved security, and the level of mortality that we are describing would require a limited sample size to detect.

In terms of what I would ask, or more aptly, beg of you, is consideration of three measures:

- 1) the US Government should verify the findings of our report. Two to 3 million excess deaths is too horrifying a possibility to go uncorroborated. I feel that our work is as epidemiologically rigorous as the constraints would permit, and the fact that this work was funded by the Bill and Melinda Gates Foundation removes the appearance of our conducting politically motivated work for some donor. Nonetheless, these results, like all science of political and social importance, should be independently corroborated.
- 2) the development of a coherent, comprehensive, consistent US policy that incorporates aid and diplomatic efforts to all of the countries involved in this crisis. I perceive that this is not occurring now.
- 3) the humanitarian response needs to be proportional to the level of this crisis. The areas accessible to NGO's have increased dramatically in the past six months, and many things could be done, which are not undertaken presently for lack of funds. These things would include: increasing access to humanitarian air transport, vaccinating against measles, supplying clinics so that they can treat the most common diseases such as malaria and diarrhea, and assuring that malnourished people who arrive in safe havens can receive therapeutic feeding. In March, I visited a feeding program in Maniema Province, which could only accept children less than 5 years old. Severely malnourished 6 year-olds were sent home for lack of funding. While this is indeed a poor country and there will never be enough funds to cure all of the ills, the level of anguish which OFDA employees, and the NGO workers in the field must endure in order to ration their available compassion is unusual, even for an African crisis. Elevating this crisis as a priority for the US Government will most likely improve coordination between donors and within the entire humanitarian community as well, leading to greater efficiencies with the available resources.

Again, I cannot thank you enough for the attention you are bringing to bear on

Access to certain populations has improved, but the recent killings of six Red Cross workers sends a harsh message that access is still problematic. Recruitment of child soldiers is not only

continuing, but on the increase.

In short, I see no reason, based on my most recent mission to the DRC, to modify our conclusion drawn in December. Nowhere in the world is the gap between humanitarian needs and the response of the international community greater than in the DRC. Only if peace is achieved and humanitarian assistance substantially increased can this gap be bridged.

Current guesstimates say that 2,000,000 Congolese are displaced. As new areas open up, it has become possible to conduct nutrition surveys that reveal disturbing levels of malnutrition. In some recently accessed areas, 35 percent of the population is suffering from

malnutrition, of which 22 percent is severe.

The World Food Program in eastern Congo reported apparently confusing data of a WFP nutrition survey of higher rates of malnutrition among adults than among children until the implications

were realized. Most of the children had already died.

What is taking place in the Congo at the moment, especially in the east, is nothing less than a slow motion holocaust, yet in the face of this humanitarian catastrophe the response of the international community, including the U.S., is shockingly meager. The emergency programs of the U.N. are 70 percent under funded this year.

A recent information bulletin of USAID's Bureau of Humanitarian Response attempts to impress the casual reader with a figure of \$68 million in assistance to the DRC this year. The problem is that most of this funding, \$42 million, is in the form of food aid and medical assistance that is not targeted to the eastern parts of the Congo where mortality is greatest.

The specific pledges by officials of the previous Administration to make the crisis in the Congo a major humanitarian and political priority fizzled after a high level promising international aid meet-

ing in Geneva in October.

The obstacles to delivering the aid that does reach the Congo are enormous. Access to war affected civilians is limited by two great factors; the enormous territory of the Congo, which is unrelieved by working roads, making it the most expensive country to deliver aid to in the world, and the rampant insecurity which further complicates delivery in the eastern portion of the country and prevents

access to vulnerable populations for months at a time.

The nominal effort of the international community to address the conflict and facilitate the implementation of the Lusaka Peace Accord is the deployment of MONUC forces. As time passes, however, more questions are being raised about the extent of their mandate. Their limited numbers prevent them from protecting humanitarian workers, much less the civilian population. Indeed, the primary role of the majority of MONUC troops is merely to protect MONUC observers.

It was obvious from RI's recent mission that all sides were continuing to recruit child soldiers. Forced recruitment prevalent in towns a few months ago has not ceased, but following local and international outcry against it the focus has shifted to less visible rural areas. All sides continue to voice public support for child demobilization, yet based on dozens of interviews RI's view is that no party or army or militia in the continuing conflict in the Congo has refrained from recruiting child soldiers.

Unicef, the lead U.N. agency responding to child soldier usage, is attempting a two track approach to this dilemma; preventing recruitment and preparing reintegration of child soldiers. Since all sides are still openly recruiting, however, the U.N. has shifted to two minimum standards; no recruiting of new child soldiers and no sending child soldiers to the front line. Neither of these minimum standards is currently being met.

For even these minimum standards to be attained, the U.N. needs international support. While donors voice commitment to child demobilization efforts, they demonstrate a clear lack of will and follow through. Last year, UNICEF asked for \$15 million for their child demobilization programs, but received \$4 million. Therefore, this year they asked for less and so far have received less.

In light of the above analysis, RI makes the following recommendations for a response by the U.S. to the humanitarian catastrophe in the Congo. One, the U.S. should be actively involved, either independently or through the U.N., in working to bring peace to the Congo. Peace in the DRC is the key to achieving peace and ending suffering in the wider Great Lakes region, including the current conflict in Burundi.

Two, the U.S. needs to provide substantially more humanitarian assistance to the DRC, especially in the eastern portion of the country. This assistance should be seen as an investment in peace, giving the Congolese the hope that if the conflict begins to wane their basic needs can and will be met. One urgent priority is support for demobilization programs to give economic alternatives to young men who have only ever known military life.

Three, the U.S. should support an expansion of MONUC's mandate. The mandate needs to include logistical support to humanitarian aid efforts by making MONUC infrastructure, such as communications equipment, air transport, trucks and warehouse facilities, available to aid agencies. MONUC should at least increase its originally planned deployment of 5,500 soldiers, and consideration should be given to further expansion as the implementation of the Lusaka Peace Accord moves forward.

Four, on the issue of child soldiers, the U.S. should increase funding for demobilization programs directed toward children. Public statements should focus on continuing recruitment when evidence supports this. The U.S. can clarify to all parties, including the foreign countries involved in the conflict, that respect for human rights, including the rights of children, is an important determinant of international legitimacy.

The U.S. can encourage and provide the means for the DRC to implement its own existing domestic legislation passed 1 year ago to demobilize and reintegrate child soldiers.

Five, as soon as practicable, the U.S. should work with the multilateral aid and financial institutions to begin the planning and implementation of a major infrastructure reconstruction program for the DRC. This is a rare moment of opportunity to move toward peace and end 5 years of fighting in the DRC, fighting that has contributed to the instability and poverty not only of Congolese, but neighboring countries. The U.S. and the international community must seize this moment. A greater investment in peace today will save thousands, maybe millions, of lives tomorrow and replace despair with hope.

Thank you.

[The prepared statement of Ms. Edgerton follows:]

PREPARED STATEMENT OF ANNE EDGERTON, GREAT LAKES ADVOCATE, REFUGEES INTERNATIONAL

I want to thank the Chairperson, Subcommittee on International Operations and Human Rights, Representative Ileana Ros-Lehtinen, for providing the opportunity for *Refugees International (RI)* to testify on the current humanitarian crisis unfold-

ing in the Congo, and on the issue of child soldier recruitment there.

I returned exactly one week ago from a five-week RI humanitarian assessment mission to the Great Lakes region of Africa, including the Democratic Republic of Congo, an area I have worked in, studied and written about since January 1995. My focus on this mission was on the following issues: internal displacement caused by continuing insecurity; humanitarian access to displaced populations; the extent of the withdrawal of foreign forces from the Congo and its impact; and the demobilization of child soldiers. In each of these focus areas the situation was worse than RI had anticipated

RI recognizes that there have been positive developments in the Congo this year: the removal of Laurent Kabila; the installation as President of his son, Joseph, who has pledged to work for peace; the deployment of UN peacekeepers; and the commitments by the countries with troops in the Congo to withdraw from the DRC and support the Lusaka Peace Accord. The participation 12 of the 15 members of the United Nations Security Council in a wide-ranging visit to the DRC and neighboring countries underscores that this is a moment of opportunity for peace in the Congo

and the wider Great Lakes region.

These developments, however, are having little immediate positive impact on the long-suffering people of the Congo. Displacement is still occurring in remote areas as armies withdraw and re-deploy to new territory in the country. Access to certain populations has improved, but the recent killings of six workers with the International Committee of the Red Cross sent a harsh message that access may still be problematic and that humanitarian workers may be targets. Recruitment of child soldiers is not only continuing, but increasing, with forced recruitment now taking place in more remote areas and training camps.

In short, I see no reason based on my most recent trip to the DRC to modify RI's conclusion on the humanitarian situation there in December 2000: nowhere in the world is the gap between humanitarian needs and the response greater than in the DRC. Only if peace is achieved and humanitarian assistance substantially increased

can this gap be bridged.

As the International Rescue Committee has recently documented, and as this Committee has already heard this morning, 2.5 million women, children, and men have died in the eastern Congo alone as the result of the war that started in August 1998. The current estimate is that two million Congolese are displaced. As new areas open up it has become possible to conduct nutrition surveys that reveal disturbing levels of malnutrition. Overall, 35% of the population surveyed is suffering from malnutrition and of this amount 22% is severe. Claude Jibidar of the World Food Program in Bukavu in eastern Congo reported that the results of a WFP nutrition assessment in Kasika resulted in apparently confusing data—there were higher rates of malnutrition among adults than among children. He and his staff then realized the implications: most of the children had already died.

What is taking place in the Congo at the moment, especially in the east, is nothing less than a slow motion holocaust. Yet in the face of this humanitarian catastrophe the response of the international community, including the United States, is shockingly meager. The emergency programs of the United Nations system are 70% under-funded for calendar year 2001. A recent information bulletin of the United States Agency for International Development's Bureau of Humanitarian Response attempts to impress the casual reader with a figure of \$68 million in assistance to the DRC in the current FY2001. The problem is that most of this funding, \$42.4 million, is in the form of food aid and medical assistance that is not specifically tar-

geted to the eastern parts of the Congo where mortality is greatest. The specific pledges by officials of the previous Administration to make the crisis in the Congo a major humanitarian and political priority fizzled after a promising international

aid coordination and planning meeting in Geneva in October 2000.

The obstacles to delivering the aid that does reach the Congo are enormous. Access to war-affected civilians is limited by two great factors: the enormous territory of the Congo, unrelieved by working roads, which makes it the most expensive country to deliver aid to in the world. The rampant insecurity, the result of violence between and among three rebel movements, two armed militias, and five national armies on Congolese soil, further complicates delivery in the eastern portion of the country and often prevents access to vulnerable populations for months at a time.

The nominal effort of the international community to address the security situation and facilitate the implementation of the Lusaka Peace Accord is the deployment to date of 1,784 observers and troops collectively known as MONUC. As MONUC troops have been deployed the Congolese people have welcomed them with much excitement and expectation. As times passes, however, more questions are being raised about the extent of their mandate. Their limited numbers prevent them from protecting humanitarian workers much less the civilian population. Indeed, the primary role of the majority of the MONUC troops is merely to protect the 484 observers included in their number.

#### Demobilization of Child Soldiers

It was obvious from  $R\Gamma$ s recent mission that all sides were continuing to recruit child soldiers. Forced recruitment, prevalent in towns a few months ago, has not ceased, but following local and international outcry against it, the focus has shifted to less visible rural areas. All sides continue to voice public support for child demo-bilization, yet, based on dozens of interviews, RI's view is that no party or army or militia in the continuing conflict in the Congo has refrained from recruiting child

UNICEF, the lead UN agency responding to child soldier usage, is attempting a two-track approach to this dilemma: preventing recruitment and preparing reintegration of child soldiers. Since all sides are still openly recruiting, however, the UN has shifted to two minimum standards: no recruiting of new child soldiers and no sending child soldiers to the frontlines. Neither of these standards is currently

For even these minimum standards to be attained, the UN needs to have international support. While donors voice commitment to child demobilization efforts, they demonstrate a clear lack of will in follow-through. Last year UNICEF-Kinshasa asked for \$15 million for their child demobilization programs but only received \$4 million. UNICEF told RI that this year they asked for even less and have so far received fewer pledges.

#### Recommendations

In the light of the above analysis  $Refugees\ International$  makes the following recommendations for a response by the United States to the humanitarian catastrophe

- The U.S. should be actively involved, either independently or through the United Nations, in working to bring peace to the Democratic Republic of the Congo. Peace in the DRC is the key to achieving peace and ending suffering in the wider Great Lakes region.
- 2. The U.S. needs to provide substantially more humanitarian assistance to the DRC, especially in the eastern part of the country. This assistance should be seen as an investment in peace, giving Congolese the hope that if the conflict begins to wane that their basic needs can and will be met. One urgent priority is support for demobilization programs to give economic alternatives to young men who have only known military life.
- 3. The U.S. should support an expansion of MONUC's mandate and size. The mandate needs to include logistical support to humanitarian aid efforts by making MONUC infrastructure, such as communications equipment, air transports, and trucks and warehouse facilities, available to the agencies. MONUC should at least increase to its original planned deployment of 5,500 soldiers and consideration should be given to further expansion as the implementation of the Lusaka Peace Accord moves forward.
- On the issue of child soldiers, the United States should increase funding for demobilization programs directed towards children. Public statements should focus on this issue when evidence is available that recruitment is continuing. The U.S. can clarify to all parties, including the foreign countries involved

in the conflict, that respect for human rights, including the rights of children, is an important determinant of international legitimacy. The U.S. can encourage and provide the means for the DRC to implement existing legislation, passed one year ago, to demobilize and reintegrate child soldiers.

5. As soon as practicable the United States should work with the multilateral aid and financial institutions to begin the planning and implementation of a major infrastructure reconstruction program for the DRC.

This is a rare moment of opportunity to move toward peace and end 10 years of fighting in the DRC, fighting that has contributed to instability and poverty in many neighboring countries. The U.S. and the international community must seize this moment. A greater investment in peace today will save thousands, maybe millions, of lives tomorrow and replace despair with hope.

Mr. TANCREDO. Thank you, Ms. Edgerton.

Mr. Madsen?

## STATEMENT OF WAYNE MADSEN, AUTHOR, "GENOCIDE AND COVERT OPERATIONS IN AFRICA 1993–1999," INVESTIGATIVE JOURNALIST

Mr. Madsen. Thank you, Mr. Chairman. I am very appreciative of the Committee's interest and support, particularly Congresswoman McKinney's interest and support, in holding these hearings on the situation in the Democratic Republic of Congo.

I wish to discuss the record of American policy in the DRC over most of the past decade, particularly that involving the eastern Congo region. It is a policy that has rested, in my opinion, on the

twin pillars of military aid and questionable trade.

The military aid programs of the United States, largely planned and administered by the U.S. Special Operations Command and the Defense Intelligence Agency, have been both overt and covert. Prior to the first Rwandan invasion of Zaire/DRC in 1996, a phalanx of U.S. intelligence operatives converged on Zaire. Their actions suggested a strong interest in Zaire's eastern defenses.

For example, the number two person at the U.S. Embassy in Kigali, Rwanda, traveled from Kigali to eastern Zaire to initiate intelligence contacts with the Alliance of Democratic Forces for the

Liberation of Congo-Zaire, the Kabila group.

Currently, sources in the Great Lakes region consistently report the presence of a U.S. built military base near Cyangugu, Rwanda, near the Congolese border. The base, reported to have been partly constructed by the U.S. firm Brown & Root, a subsidiary of Halliburton, is said to be involved with training RPF forces and providing logistic support to their troops in the DRC.

By December, 1996, U.S. military forces were operating in Bukavu amid throngs of Hutus, less numerous Twa refugees, Mai Mai guerrillas, advancing Rwandan troops and AFDL–CZ rebels. A French military intelligence officer said he detected some 100

armed U.S. troops in the eastern Zaire conflict zone.

Moreover, the French intelligence service, DGSE, reported that Americans had knowledge of the extermination of Hutu refugees by Tutsis in both Rwanda and eastern Zaire and were doing nothing about it. More ominously, there was reason to believe that some U.S. forces, either Special Forces or mercenaries, may have actually participated in the extermination of some Hutu refugees.

The killings reportedly took place at a camp on the banks of the Oso River near Goma. Roman Catholic reports claim that the exe-

cuted included a number of Hutu Catholic priests. At least for those who were executed, death was far quicker than it was for those who escaped deep into the jungle. There, many died from tropical diseases or were attacked and eaten by wild animals.

It was known that the planes that the U.S. military deployed in eastern Zaire included heavily armed and armored helicopter gunships typically used by the U.S. Special Forces. These were fitted with 105 mm cannons, rockets, machine guns, land mine ejectors and, more importantly, infrared sensors used in night operations. U.S. military commanders unabashedly stated the purpose of these armed gunships was to locate refugees to determine the best means of providing them with humanitarian assistance.

Towards the end of 1996, U.S. spy satellites were attempting to ascertain how many refugees escaped into the jungle by locating fires at night and canvas tarpaulins during the day. Strangely, every time an encampment was discovered by space based imagery,

Rwanda and Zaire rebel forces attacked the sites.

This was the case in late February, 1997, when 160,000 mainly Hutu refugees were spotted and then attacked in a swampy area known as Tingi Tingi. There was never an adequate accounting by the Pentagon and U.S. intelligence agencies of the scope of the in-

telligence provided to the RPF and the AFDL-CZ.

The increasing reliance by the Department of Defense on socalled private military contractors is also of special concern. Many of these PMCs, one labeled as mercenaries by previous Administrations when they were used as foreign policy instruments by the colonial powers of France, Belgium, Portugal and South Africa, have close links with some of the largest mining and oil companies involved in Africa today.

P.M.C.s, because of their proprietary status, have a great deal of leeway to engage in covert activities far from the reach of congressional investigators. They can simply claim their business in various nations is a protected trade secret, and the law now seems to

be on their side.

America's policy toward Africa during the past decade, rather than seeking to stabilize situations where civil war and ethnic turmoil reign supreme, have seemingly promoted destabilization. Former Secretary of State Albright was fond of calling pro-U.S. military leaders in Africa who assumed power by force and then

cloaked themselves in civilian attire "beacons of hope."

In reality, these leaders, who include the current presidents of Uganda, Řwanda, Ethiopia, Angola, Eritrea, Burundi and the Democratic Republic of Congo, preside over countries where ethnic and civil turmoil permit unscrupulous international mining companies to take advantage of the strife to fill their own coffers with conflict, diamonds, gold, copper, platinum and other special minerals, including one, columbite-tantalite, also known as coltan, which is a primary component of computer microchips and printed circuit boards.

It is my observation that America's early support for Laurent Kabila, which was aided by U.S. allies in Rwanda and Uganda, had less to do with getting rid of the Mobutu regime than it did in opening up Congo's vast mineral riches to North American based mining companies.

The CIA, NSA and DIA should turn over to international congressional investigators intelligence that was generated and they have in their possession, as well as overhead thermal imagery indicating the presence of mass graves and when they were dug.

In particular, the NSA maintained a communications intercept station at Fort Portal, Uganda, which intercepted military and government communications in Zaire during the first Rwandan invasion in that country. These intercepts may contain details of Rwanda and AFDL–CZ massacres of innocent Hutu refugees and other Congolese civilians during the 1996 invasion. There must be a full accounting before the Congress by the staff of the U.S. Defense Attache's Office in Kigali, Rwanda, and certain U.S. Embassy staff members in Kinshasa who have served from the early 1994 time frame to the present time.

It is beyond time for Congress and the Administration to seriously examine the role of the U.S. in the genocide and civil wars of central Africa, as well as the role that PMCs currently play in other African trouble spots. Other nations' somewhat less than stellar records in Africa—France and Belgium, for example—have had no problem examining their own roles in Africa's last decade of tur-

moil.

The British Foreign Office is in the process of publishing a green paper on regulation of mercenary activity. At the very least, the United States, as the world's leading democracy, owes Africa at least the example of a critical self-inspection.

I appreciate the concern shown by the Chair and Members of this

Committee in holding the hearings.

Thank you.

[The prepared statement of Mr. Madsen follows:]

Prepared Statement of Wayne Madsen, Author, "Genocide and Covert Operations in Africa 1993–1999," Investigative Journalist

My name is Wayne Madsen. I am the author of *Genocide and Covert Operations in Africa 1993–1999* <sup>1</sup>, a work that involved some three years worth of research and countless interviews in Rwanda, Uganda, France, the United Kingdom, United States, Belgium, Canada, and the Netherlands. I am an investigative journalist who specializes on intelligence and privacy issues. I am grateful to appear before the Committee today. I am also appreciative of the Committee's interest in holding this hearing on the present situation in the Democratic Republic of the Congo.

I wish to discuss the record of American policy in the DRC over most of the past decade, particularly involving the eastern Congo region. It is a policy that has rested, in my opinion, on the twin pillars of military aid and questionable trade. The military aid programs of the United States, largely planned and administered by the U.S. Special Operations Command and the Defense Intelligence Agency (DIA), have

been both overt and covert.

Prior to the first Rwandan invasion of Zaire/DRC in 1996, a phalanx of U.S. intelligence operatives converged on Zaire. Their actions suggested a strong interest in Zaire's eastern defenses. The number-two person at the U.S. Embassy in Kigali traveled from Kigali to eastern Zaire to initiate intelligence contacts with the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL–CZ) rebels under the command of the late President Laurent Kabila. The Rwandan embassy official met with rebel leaders at least twelve times.<sup>2</sup>

A former U.S. ambassador to Uganda—acting on behalf of the U.S. Agency for International Development (USAID)—gathered intelligence on the movement of Hutu refugees through eastern Zaire. The DIA's second ranking Africa hand, who also served as the U.S. military attaché in Kigali, reconnoitered the Rwandan bor-

<sup>&</sup>lt;sup>1</sup>Lewiston, NY and Lampeter, Wales, UK: Edwin Mellen Press, 1999. <www.mellenpress.com>
<sup>2</sup>Colum Lynch, "U.S. agents were seen with rebels in Zaire: Active participation is alleged in military overthrow of Mobutu," BOSTON GLOBE, 8 October 1997, A2.

der towns of Cyangugu and Gisenyi, gathering intelligence on the cross border movements of anti-Mobutu Rwandan Tutsis from Rwanda.<sup>3</sup>

The Defense Intelligence Agency's African bureau chief established a close personal relationship with Bizima (alias Bizimana) Karaha, an ethnic Rwandan who would later become the Foreign Minister in the Laurent Kabila government. Moreover, the DIA's Africa division had close ties with Military Professional Resources, Inc. (MPRI), an Alexandria, Virginia private military company (PMC), whose Vice President for Operations is a former Director of DIA.

The political officer of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the content of the U.S. Embassy in Kinshasa, accompanied by a CIA operative traveled with AFDI\_C7 values through the CIA operative traveled with th

The political officer of the U.S. Empassy in Kinshasa, accompanied by a CIA operative, traveled with AFDL–CZ rebels through the eastern Zaire jungles for weeks after the 1996 Rwandan invasion of Zaire. In addition, it was reported that the Kinshasa embassy official and three U.S. intelligence agents regularly briefed Bill Richardson, Clinton's special African envoy, during the rebels' steady advance towards Kinshasa. The U.S. embassy official conceded that he was in Goma to do more than meet rebel leaders for lunch. Explaining his presence, he said "What I more than meet rebel leaders for lunch. Explaining his presence, he shall am here to do is to acknowledge them [the rebels] as a very significant military and the represent American interests." In political power on the scene, and, of course, to represent American interests." In addition, MPRI was reportedly providing covert training assistance to Kagame's troops in preparation for combat in Zaire. Some believe that MPRI had actually been involved in training the RPF from the time it took power in Rwanda.

#### THE BA-N'DAW REPORT

The covert programs involving the use of private military training firms and logistics support contractors that are immune to Freedom of Information Act requests is particularly troubling for researchers and journalists who have tried, over the past several years, to get at the root causes for the deaths and mayhem in the DRC and other countries in the region. These U.S. contractor support programs have reportedly involved covert assistance to the Rwandan and Ugandan militaries—the major backers of the Rassemblement Congolais pour la démocratie (RCD factions —as reported by the UN's "Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC"—are responsible for the systematic pillaging of Congo's most valuable natural resources. The UN panel-chaired by Safiatou Ba-N'Daw of Cote d'Ivoire—concluded "Top military commanders from various countries needed and continue to need this conflict for its lucrative nature and for temporarily solving some internal problems in those countries as well as allowing access to wealth." There is more than ample evidence that the elements of the U.S. military and intelligence community may have—on varying occasions—aided and abetted this systematic pillaging by the Ugandan and Rwandan militaries. The UN Report named the United States, Germany, Belgium, and

militaries. The UN Report named the United States, Germany, Belgium, and Kazakhstan as leading buyers of the illegally exploited resources from the DRC. Sources in the Great Lakes region consistently report the presence of a U.S.-built military base near Cyangugu, Rwanda, near the Congolese border. The base, reported to have been partly constructed by the U.S. firm Brown & Root, a subsidiary of Halliburton, is said to be involved with training RPF forces and providing logistics support to their troops in the DRC. Additionally, the presence in the region of black U.S. soldiers supporting the RPF and Ugandans has been something consistently reported since the first invasion of Zaire-Congo in 1996. On January 21, 1997, France claimed it actually recovered the remains of two American combatants killed France claimed it actually recovered the remains of two American combatants killed near the Oso River in Kivu province during combat and returned them to American

officials. The U.S. denied these claims.8

#### COVERT AMERICAN SUPPORT FOR THE COMBATANTS

As U.S. troops and intelligence agents were pouring into Africa to help the RPF and AFDL-CZ forces in their 1996 campaign against Mobutu, Vincent Kern, the

<sup>7</sup>André Dumoulin, La France Militaire et l'Afrique (The French Military and Africa) (Paris:

 $<sup>^3</sup>$  Ibid.

<sup>&</sup>lt;sup>5</sup>David Rieff, "Realpolitik in Congo: should Zaire's fate have been subordinate to the fate of Rwandan refugees?" THE NATION, 7 July 1997.

<sup>6</sup>Georges Berghezan, "Une guerre cosmopolite," ("A cosmopolitan war,"), Marc Schmitz and Sophie Nolet, editors, *Kabila prend le pouvoir* ("Kabila Takes Power) (Paris: Editions GRIP, 1998), 97.

Editions GRIP, 1997), 87.

8 "Fighting with the rebels," ASIA TIMES, 1 April 1997, 8; Jacques Isnard, "Des "conseillers' américains ont aidé à renverser le régime de M. Mobutu" ("American advisers helped to oust the regime of Mr. Mobutu"), Le Monde, 28 August 1997; "Influence americaine" ("American influence"), La Lettre du Continent, 3 April 1997.

Deputy Assistant Secretary of Defense for African Affairs, told the House International Operations and Human Rights Subcommittee on December 4, 1996 that U.S. military training for the RPF was being conducted under a program called Enhanced International Military Education and Training (E-IMET). Kathi Austin, a Human Rights Watch specialist on arms transfers in Africa, told the Subcommittee on May 5, 1998 that one senior U.S. embassy official in Kigali described the U.S. Special Forces training program for the RPF as "killers . . . training killers." In November 1996, U.S. spy satellites and a U.S. Navy P–3 Orion were attempting to ascertain how many Rwandan Hutu refugees were in eastern Zaire. The P–

3 was one of four stationed at old Entebbe Airport on the shores of Lake Victoria. Oddly, while other planes flying over eastern Zaire attracted anti-aircraft fire from Kabila's forces, the P-3s, which patrolled the skies above Goma and Sake, were left alone. $^{10}$ 

Relying on the overhead intelligence, U.S. military and aid officials confidently announced that 600,000 Hutu refugees returned home to Rwanda from Zaire. But that left an estimated 300,000 unaccounted for. Many Hutus seemed to be dis-

appearing from camps around Bukavu.

By December 1996, U.S. military forces were also operating in Bukavu amid throngs of Hutus, less numerous Twa refugees, Mai Mai guerrillas, advancing Rwandan troops, and AFDL–CZ rebels. A French military intelligence officer said he detected some 100 armed U.S. troops in the eastern Zaire conflict zone. 11 Moreover, the DGSE reported the Americans had knowledge of the extermination of Hutu refugees by Tutsis in both Rwanda and eastern Zaire and were doing nothing about it. More ominously, there was reason to believe that some U.S. forces, either Special Forces or mercenaries, may have actually participated in the extermination of Hutu refugees. The killings reportedly took place at a camp on the banks of the Oso River near Goma. <sup>12</sup> Roman Catholic reports claim that the executed included a number of Hutu Catholic priests. At least for those who were executed, death was far quicker than it was for those who escaped deep into the jungle. There, many died from tropical diseases or were attacked and eaten by wild animals. 13

Jacques Isnard, the Paris based defense correspondent for Le Monde supported the contention of U.S. military knowledge of the Oso River massacre but went further. He quoted French intelligence sources that believed that between thirty and sixty American mercenary "advisers" participated with the RPF in the massacre of hundreds of thousands of Hutu refugees around Goma. Although his number of Hutu dead was more conservative than the French estimates, the U.N.'s Chilean investigator, Roberto Garreton, reported the Kagame and Kabila forces had committed "crimes against humanity" in killing thousands [emphasis added] of Hutu refu-

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m gees.}^{14}$ 

It was known that the planes the U.S. military deployed in eastern Zaire included heavily armed and armored helicopter gunships typically used by the Special Forces. These were fitted with 105 mm cannons, rockets, machine guns, land mine ejectors, and, more importantly, infra red sensors used in night operations. U.S. military commanders unabashedly stated the purpose of these gunships was to locate refugees to determine the best means of providing them with humanitarian assistance. According to the French magazine Valeurs Actuelles, a French DC-8 Sarigue elec-

tronic intelligence (ELINT) aircraft circled over eastern Zaire at the time of the Oso River massacre. The Sarigue's mission was to intercept and fix the radio transmissions of Rwandan military units engaged in the military operations. This aircraft, in addition to French special ground units, witnessed U.S. military ethnic cleansing in Zaire's Kivu Province 16

In September 1997, the prestigious Jane's Foreign Report reported that German intelligence sources were aware that the DIA trained young men and teens from Rwanda, Uganda, and eastern Zaire for periods of up to two years and longer for

<sup>&</sup>lt;sup>9</sup> Dana Priest, "Pentagon Slow to Cooperate With Information Requests," THE WASHINGTON

POST, 31 December 1998, A34.

10 Christian Jennings, "U.S. plane seeks 'missing' refugees in east Zaire," Reuters North American Wire, 26 November 1996.

<sup>&</sup>lt;sup>12</sup> Hubert Condurier, "Ce que les services secrets franais savaient" ("What the French Secret Services Knew"), *VALEURS ACTUELLES*, 30 August 1997, 26 27.

<sup>13</sup> "Priests Speak of Massacres, Destitution," All Africa Press Service, AFRICA NEWS, 24

March 1997.

<sup>14</sup> Lara Marlowe, "Rwandans got combat training from U.S. army, paper claims," THE IRISH TIMES, 28 August 1997, 11.

<sup>&</sup>lt;sup>15</sup> Condurier, 27.

the RPF/AFDL-CZ campaign against Mobutu. The recruits were offered pay of be-

tween \$450 and \$1000 upon their successful capture of Kinshasa.<sup>17</sup>
Toward the end of 1996, U.S. spy satellites were attempting to ascertain how many refugees escaped into the jungle by locating fires at night and canvas tarpaulins during the day. Strangely, every time an encampment was discovered by the space-based imagery, Rwandan and Zaire rebel forces attacked the sites. This was the case in late February 1997, when 160,000, mainly Hutu refugees, were spotted and then attacked in a swampy area known as Tingi Tingi. 18 There was never an adequate accounting by the Pentagon and U.S. intelligence agencies of the scope of intelligence provided to the RPF/AFDL-CZ.

An ominous report on the fate of refugees was made by Nicholas Stockton, the Emergencies Director of Oxfam U.K. & Ireland. He said that on November 20, 1996, Emergencies Director of Oxiam U.K. & Ireland. He said that on November 20, 1996, he was shown U.S. aerial intelligence photographs which "confirmed, in considerable detail, the existence of 500,000 people distributed in three major and numerous minor agglomerations." He said that three days later the U.S. military claimed it could only locate one significant mass of people, which they claimed were identified as former members of the Rwandan armed forces and the Interhamwe militia. Since they were the number one targets for the RPF forces, their identification and location by the Americans was undoubtedly passed to the Rwandan forces. They would have surely been executed. <sup>19</sup> Moreover, some U.S. military and diplomatic personnel in central Africa said that any deaths among the Hutu refugees merely constituted. in central Africa said that any deaths among the Hutu refugees merely constituted "collateral damage.'

When the AFDL-CZ and their Rwandan allies reached Kinshasa in 1996, it was largely due to the help of the United States. One reason why Kabila's men advanced into the city so quickly was the technical assistance provided by the DIA and other intelligence agencies. According to informed sources in Paris, U.S. Special Forces actually accompanied ADFL—CZ forces into Kinshasa. The Americans also reportedly provided Kabila's rebels and Rwandan troops with high definition spy satellite photographs that permitted them to order their troops to plot courses into Kinshasa that avoided encounters with Mobutu's forces. During the rebel advance toward Kinshasa, Bechtel provided Kabila, at no cost, high technology intelligence, including National Accounts and Space Administration (NASA) catallite data 21 ing National Aeronautics and Space Administration (NASA) satellite data.<sup>21</sup>

#### AMERICAN MILITARY SUPPORT FOR THE SECOND INVASION OF CONGO

By 1998, the Kabila regime had become an irritant to the United States, North American mining interests, and Kabila's Ugandan and Rwandan patrons. As a result, Rwanda and Uganda launched a second invasion of the DRC to get rid of Kabila and replace him with someone more servile. The Pentagon was forced to admit on August 6, 1998 that a twenty man U.S. Army Rwanda Interagency Assessment Team (RIAT) was in the Rwanda at the time of the second RPF invasion of Congo. The camouflaged unit was deployed from the U.S. European Command in Germany. The tandulaged unit was deployed from the C.S. European Command in Germany. The was later revealed that the team in question was a JCET unit that was sent to Rwanda to help the Rwandans "defeat ex FAR (Rwandan Armed Forces) and Interhamwe" units. U.S. Special Forces JCET team began training Rwandan units on July 15, 1998. It was the second such training exercise held that year. The RIAT team was sent to Rwanda in the weeks just leading up to the outbreak of hostilities in Congo.<sup>23</sup> The RIAT, specializing in counter insurgency operations, traveled to Gisenyi on the Congolese border just prior to the Rwandan invasion.<sup>24</sup> One of the assessments of the team recommended that the United States establish a new and broader military relationship with Rwanda. National Security Council spokesman P.

<sup>&</sup>lt;sup>17</sup> "Helping Africa to help America," JANE'S FOREIGN REPORT, 4 September 1997. <sup>18</sup> Donald G. McNeil, Jr., "In Congo, Forbidding Terrain Hides a Calamity," THE NEW YORK

<sup>&</sup>lt;sup>18</sup> Donald G. McNeil, Jr., "In Congo, Forbidding Terrain Hides a Calamity," THE NEW YORK TIMES, 1 June 1997, 4.
<sup>19</sup> Edward Mortimer, "The moral maze: The dilemmas of African conflict cannot be avoided by identifying one side as victims and the other as aggressors," FINANCIAL TIMES, 12 February 1997, 24.
<sup>20</sup> "Oil Wars in the Congo," ASIA TIMES, op. cit; Frederic Franois, "A la recontre du Kivu libéré: carnet de route (janvier-février 97)" ("Recounting the liberation of Kivu: the roadmap (January February 1997)," Marc Schmitz and Sophie Nolet, op. cit., 57.
<sup>21</sup> Robert Block, "U.S. Firms Seek Deals in Central Africa," THE WALL STREET JOURNAL, 14 October 1997.

<sup>23</sup> Lynne Duke, "Africans Use Training in Unexpected Ways," THE WASHINGTON POST, 14

July 1998, A10
<sup>24</sup> "Washington urges peace as U.S. team goes to Rwanda," Agence France Presse, 5 August

J. Crowley, said of the RIAT's presence in Rwanda: "I think it's a coincidence that they were there at the same time the fighting began."  $^{25}$ 

Soon, however, as other African nations came to the assistance of Laurent Kabila, the United States found itself in the position of providing military aid under both the E-IMET and the Joint Combined Exchange Training (JCET) programs. U.S. Special Operations personnel were involved in training troops on both sides of the war in the DRC—Rwandans, Ugandans, and Burundians (supporting the RCD factions) and Zimbabweans and Namibians (supporting the central government in Kinshasa).

As with the first invasion, there were also a number of reports that the RPF and their RCD allies carried out a number of massacres throughout the DRC. The Vatican reported a sizable killing of civilians in August 1998 in Kasika, a small village in South Kivu that hosted a Catholic mission station. Over eight hundred people, including priests and nuns, were killed by Rwandan troops. The RCD response was to charge the Vatican with aiding Kabila. The Rwandans, choosing to put into practice what the DIA's PSYOPS personnel had taught them about mounting perception management campaigns, shepherded the foreign press to carefully selected killing fields. The dead civilians were identified as exiled Burundian Hutu militiamen. Unfortunately, many in the international community, still suffering a type of collective guilt over the genocide of the Tutsis in Rwanda, gave the Rwandan assertions more credence than was warranted.

The increasing reliance by the Department of Defense on so-called Private Military Contractors (PMCs) is of special concern. Many of these PMCs—once labeled as "mercenaries" by previous administrations when they were used as foreign policy instruments by the colonial powers of France, Belgium, Portugal, and South Africa—have close links with some of the largest mining and oil companies involved in Africa today. PMCs, because of their proprietary status, have a great deal of leeway to engage in covert activities far from the reach of congressional investigators. They can simply claim that their business in various nations is a protected trade secret and the law now seems to be on their side.

#### PROFITING FROM THE DESTABILIZATION OF CENTRAL AFRICA

America's policy toward Africa during the past decade, rather than seeking to stabilize situations where civil war and ethnic turmoil reign supreme, has seemingly promoted destabilization. Former Secretary of State Madeleine Albright was fond of calling pro-U.S. military leaders in Africa who assumed power by force and then cloaked themselves in civilian attire, "beacons of hope."

In reality, these leaders, who include the current presidents of Uganda, Rwanda, Ethiopia, Angola, Eritrea, Burundi, and the Democratic Republic of the Congo preside over countries where ethnic and civil turmoil permit unscrupulous international mining companies to take advantage of the strife to fill their own coffers with conflict diamonds, gold, copper, platinum, and other precious minerals—including one-columbite-tantalite or "coltan"—which is a primary component of computer

microchips and printed circuit boards.

Some of the companies involved in this new "scramble for Africa" have close links with PMCs and America's top political leadership. For example, America Minerals Fields, Inc., a company that was heavily involved in promoting the 1996 accession to power of Kabila, was, at the time of its involvement in the Congo's civil war, headquartered in Hope, Arkansas. Its major stockholders included long-time associates of former President Clinton going back to his days as Governor of Arkansas. America Mineral Fields also reportedly enjoys a close relationship with Lazare Kaplan International, Inc., a major international diamond brokerage whose president remains a close confidant of past and current administrations on Africa matters.26

The United States has a long history of supporting all sides in the DRC's civil wars in order to gain access to the country's natural resources. The Ba-N'Daw Report presents a cogent example of how one U.S. firm was involved in the DRC's grand thievery before the 1998 break between Laurent Kabila and his Rwandan and Ugandan backers. It links the *Banque de commerce, du developpement et d'industrie* (BCDI) of Kigali, Citibank in New York, the diamond business and armed rebellion. The report states: "In a letter signed by J.P. Moritz, general manager of Societe miniere de Bakwanga (MIBA), a Congolese diamond company, and Ngandu Kamenda, the general manager of MIBA ordered a payment of US\$3.5 million to

 $<sup>^{25}</sup>$  Colum Lynch, "Congo, Rwanda appear headed to full scale war," THE BOSTON GLOBE, 6 August 1998, A1.
<sup>26</sup> Richard Morais, "Friends in High Places," FORBES, August 10, 1998, 50.

la Generale de commerce d'import/export du Congo (COMIEX), a company owned by late President Kabila and some of his close allies, such as Minister Victor Mpoyo, from an account in BCDI through a Citibank account. This amount of money was

paid as a contribution from MIBA to the AFDL war effort.'

Also troubling are the ties that some mining companies in Africa have with military privateers. UN Special Rapporteur Enrique Ballesteros of Peru concluded in a his March 2001 report for the UN Commission on Human Rights, that mercenaries were inexorably linked to the illegal diamond and arms trade in Africa. He stated, "Mercenaries participate in both types of traffic, acting as pilots of aircraft and helicopters, training makeshift troops in the use of weapons and transferring freight from place to place. Ballesteros added, "Military security companies and air cargo companies registered in Nevada (the United States), in the Channel Islands and especially in South Africa and in Zimbabwe, are engaged in the transport of troops,

arms, munitions, and diamonds."

In 1998, America Minerals Fields purchased diamond concessions in the Cuango Valley along the Angolan-Congolese border from International Defense and Security (IDAS Belgium SA), a mercenary firm based in Curacao and headquartered in Belancian Mineral Fields press release. "In May 1996, Amergium. According to an American Mineral Fields press release, "In May 1996, America Mineral Fields entered into an agreement with IDAS Resources N.V. ("IDAS") and IDAS shareholders, under which the Company may acquire 75.5% of the common shares of IDAS. In turn, IDAS has entered into a 50–50 joint venture agree-

mon shares of IDAS. In turn, IDAS has entered into a 50–50 joint venture agreement with Endiama, the Angola state mining company. The joint venture asset is a 3,700 km mining lease in the Cuango Valley, Luremo and a 36,000 km2 prospecting lease called the Cuango International, which borders the mining lease to the north. The total area is approximately the size of Switzerland." America Mineral Fields directly benefited from America's initial covert military and intelligence support for Kabila. It is my observation that America's early support for Kabila, which was aided and abetted by U.S. allies Rwanda and Uganda, had less to do with getting rid of the Mobutu regime than it had to do with opening up Congo's vast mineral riches to North American-based and influenced mining companies. Presently, some of America Mineral Fields' principals now benefit from companies. Presently, some of America Mineral Fields' principals now benefit from the destabilization of Sierra Leone and the availability of its cut-rate "blood diathe destabilization of Sierra Leone and the availability of its cut-rate "blood diamonds" on the international market. Also, according to the findings of a commission headed up by Canadian United Nations Ambassador, Robert Fowler, Rwanda has violated the international embargo against Angola's UNITA rebels in allowing the "to operate more or less freely" in selling conflict zone diamonds and making deals with weapons dealers in Kigali. <sup>28</sup>

One of the major goals of the Rwandan-backed RCD-Goma faction, a group fight-

ing the Kabila government in Congo, is restoration of mining concessions for Barrick Gold, Inc. of Canada. In fact, the rebel RCD government's "mining minister" signed a separate mining deal with Barrick in early 1999.<sup>29</sup> Among the members of Barrick's International Advisory Board are former President Bush and former President Clinton's close confidant Vernon Jordan.

Currently, Barrick and tens of other mining companies are helping to stoke the flames of the civil war in the DRC. Each benefits by the de facto partition of the country into some four separate zones of political control. First the mineral exploiters from Rwanda and Uganda concentrated on pillaging gold and diamonds from the

eastern Congo. Now, they have increasingly turned their attention to col-tan.

It is my hope that the Bush administration will take pro-active measures to stem the conflict in the DRC by applying increased pressure on Uganda and Rwanda to withdraw their troops from the country. However, the fact that President Bush has selected Walter Kansteiner to be Assistant Secretary of State for African Affairs, portends, in my opinion, more trouble for the Great Lakes region. A brief look at Mr. Kansteiner's curriculum vitae and statements calls into question his commitment to seeking a durable peace in the region.

In an October 15, 1996 paper written by Mr. Kansteiner for the Forum for International Policy on the then-eastern Zaire, he called for the division of territory in the Great Lakes region "between the primary ethnic groups, creating homogenous ethnic lands that would probably necessitate redrawing international boundaries and would require massive 'voluntary' relocation efforts." Kansteiner foresaw creating separate Tutsi and Hutu states after such a drastic population shift. It should be recalled that the creation of a Tutsi state in eastern Congo was exactly what

"Former Okimo Boss Named Rebels' 'Minister'," AFRICA ENERGY & MINING, No. 245, February 3, 1999.

<sup>28 &</sup>quot;RWANDA: Government denies busting UNITA sanctions," UN Integrated Regional Information Network (IRIN), March 13, 2000.

Rwanda, Uganda and their American military advisers had in mind when Rwanda invaded then-Zaire in 1996, the same year Kansteiner penned his plans for the region. Four years later, Kansteiner was still convinced that the future of the DRC was "balkanization" into separate states. In an August 23, 2000 *Pittsburgh Post-Gazette* article, Kansteiner stated that the "breakup of the Congo is more likely now than it has been in 20 or 30 years." Of course, the de facto break up of Congo into various fiefdoms has been a boon for U.S. and other western mineral companies. And I believe Kansteiner's previous work at the Department of Defense where he served on a Task Force on Strategic Minerals—and one must certainly consider coltan as falling into that category-may influence his past and current thinking on the territorial integrity of the DRC. After all, 80 per cent of the world's known reserves of col-tan are found in the eastern DRC. It is potentially as important to the U.S. military as the Persian Gulf region.

However, the U.S. military and intelligence agencies, which have supported Uganda and Rwanda in their cross-border adventures in the DRC, have resisted peace initiatives and have failed to produce evidence of war crimes by the Ugandans and Rwandans and their allies in Congo. The CIA, NSA, and DIA should turn over to international and congressional investigators intelligence-generated evidence in their possession, as well as overhead thermal imagery indicating the presence of mass graves and when they were dug. In particular, the NSA maintained a communications intercept station in Fort Portal, Uganda, which intercepted military and government communications in Zaire during the first Rwandan invasion. These intercepts may contain details of Rwandan and AFDL—CZ massacres of innocent Hutu refugees and other Congolese civilians during the 1996 invasion. There must be a full accounting before the Congress by the staff of the U.S. Defense Attache's Office in Kigali and certain U.S. Embassy staff members in Kinshasa who served from early 1994 to the present time.

As for the number of war casualties in the DRC since the first invasion from Rwanda in 1996, I would estimate, from my own research, the total to be around 1.7 to 2 million—a horrendous number by any calculation. And I also believe that although disease and famine were contributing factors, the majority of these deaths were the result of actual war crimes committed by Rwandan, Ugandan, Burundian,

AFDL-CZ, RCD, and military and paramilitary forces of other countries.

#### SUMMARY

It is beyond time for the Congress to seriously examine the role of the United States in the genocide and civil wars of central Africa, as well as the role that PMCs currently play in other African trouble spots like Nigeria, Sierra Leone, Equatorial Guinea, Angola, Ethiopia, Sudan, and Cabinda. Other nations, some with less than stellar records in Africa—France and Belgium, for example—have had no problem examining their own roles in Africa's last decade of turmoil. The British Foreign Office is in the process of publishing a green paper on regulation of mercenary activity. At the very least, the United States, as the world's leading democracy, owes Africa at least the example of a critical self-inspection.

I appreciate the concern shown by the Chair and members of this committee in holding these hearings.

Thank you.

Mr. TANCREDO. Thank you, Mr. Madsen, for your really quite extraordinary testimony. I am sure and I know it has peaked all of our interest, and there will be a number of questions I am sure directed specifically to you.

I am going to start off with the focus of my questions to Mr. Ali Baldo and to Father Bahala. First of all, human rights activists and others hailed the end of the Mobutu regime, never anticipating the human rights legacy that would be left by Laurent Kabila. Now there is similar enthusiasm about the selection of Joseph Kabila. However, earlier this week the African Association for the Defense of Human Rights declared that there had been little improvement

Do you think, sir, that it is fair to make an assessment after only 100 days of the new Kabila Administration? How much time should pass before an evaluation can take place of this nature, and how should the United States and this international community proceed with the new leadership?

I would like you to address those if you could. Mr. Ali Baldo, you

may go first.

Mr. BALDO. Thank you, sir. Concerning the promises of Kabila for internal improvement, we do acknowledge that some steps were

taken in the right direction.

For example, there has been a commitment and implementation of a decision to close down all unacknowledged detention places in Kinshasa and a change of all commanders of security agencies. There are several of them, and they are competing always without any accountability.

However, the worst problems of insecurity in rural areas and under government control areas is basically the lack of institutions and the lack of accountability. We do not see an effort to address

these issues.

Therefore, despite the government's closure of unacknowledged or unofficial detention places, agencies like the National Intelligence Agency and the military's Department for Suppression of Anti-Political Activities continue to detain people, to arrest them. The issue is really to hold the security forces accountable, and this, to our knowledge, has not been done so far.

The government has promised to improve the political environment. It has failed to repeal or to amend the decree laws that limit or prohibit political activities. The decree law, which was signed by

Laurent Kabila, the father, in 1999, does not—

Mr. TANCREDO. Say that again. They have failed to repeal—

Mr. BALDO. To repeal the law regulating political activities, which prohibits political activities and does not recognize pre-existing opposition political parties. If there is a seriousness about improving the political environment, we believe that the government of Joseph Kabila should really amend that decree law.

There is also a decree law about associations, which also does not recognize the existing associations like ASADU and all the other civil society groups in the Congo, which are very active, very vibrant, and the only bodies in the country that are really acting and

sort of dedicated to the population.

That law has also to be amended to acknowledge the existence and recognize the existence of pre-existing associations, so institutionally the reform has yet to happen.

Thank you.

Mr. TANCREDO. Thank you.

Father Bahala, would you like to comment on that?

Father Bahala. I would just like to add to what Mr. Sulaiman has just said. I went to Kinshasa when I went back into the field, and we feel there has been some improvement in the democratization in the country. Maybe he was not aware of it, but this morning President Kabila has signed a decree that liberalized the political parties in the country.

I participated in Kinshasa in meetings that were preparing a national conference on human rights, so we feel that there is improvement in the sense of a collaboration between the government and

the civil society.

Something that I also would like to add is that as they keep talking that there is no progress in terms of human rights and democratization in the Congo, we look and say it is a common situation in the whole central African region, so one of the questions is when you look at the situation of Rwanda, Burundi and Uganda, why are they asking something of the Congo and not asking from the other countries?

If you look, for instance, in Rwanda it has been 6 years since the genocide has taken place, but so far nobody has talked about elections or anything, you know, in the sense of democratization. All the people want is that it be a fair request of all the parties.

That is why in talking about the Lusaka Accords, for instance, they ask that the Congolese enter into a dialogue with the rebels. Now, the question is why are we not requesting, for instance, that Rwandans and Ugandans and Burundians also enter into a dialogue with their own rebels?

I would like to finish by asking this. How can we organize a dialogue between Congolese when more than half of the territory is under occupation? For instance, there are reports today that the troops that are being redeployed from the front are being redeployed in the occupied territories somewhere else, so how can you organize a dialogue in those conditions?

We know also today that Rwanda is taking prisoners out of prisons in Rwanda and sending them in the Congo to exploit minerals. Also, there are reports, and we see armed forces who are in the region, and they come in to kill people, burn parishes and create insecurities, so how can you return to a normal situation with that kind of thing going on?

Thank you.

Mr. TANCREDO. Thank you very much.

I have several other questions. I am going to, however, postpone them at least because I want to make sure that Ms. McKinney is able to fully exploit this opportunity, except for one thing.

I am just wondering to the Ambassador. Do we have any specific information about the proclamation that was signed today that was referred to by Father Bahala? Do we know anything about it?

You do not have to testify, but if we can obtain that information as soon as possible I would certainly appreciate it. Thank you.

Now I am going to turn it over to the Ranking Member, Ms. McKinney, for her questions.

Ms. McKinney. Thank you, Mr. Chairman. I would like to have

Ms. McKinney. Thank you, Mr. Chairman. I would like to have the opportunity, if it is needed, for further clarification after you have posed your second round of questions to go back and——

Mr. TANCREDO. Of course. Of course.

Ms. McKinney. I would also like to state that I have significant volumes of information to submit for the record, and I would like to receive that information from Father Bahala as well for submission to the record.

Mr. TANCREDO. Without objection.

Ms. McKinney. Thank you, Mr. Chairman.

The first question I have is about the recent statement of Colin Powell, and this is directed to anyone who would desire to respond.

Colin Powell said that he would visit Uganda. The question is, one, should he go? Two, who should he meet with if he goes? Three,

what should his message be?

Mr. BALDO. Yes. I believe the Secretary of State should go to Uganda, and I believe that his message on the situation of the presence of Uganda in the Congo should be very clear and straightforward, simple talk, you know.

Uganda is present in the Congo as an occupation power. Uganda is a signatory of the Geneva Conventions. It is obliged to respect the provisions of protocol of the Geneva Convention 4 and in addi-

tion Protocol 1. It is not doing that.

Uganda, as we document in our publications, is involved in attacks against civilians. Uganda is recruiting Congolese children for its war effort against the government. We document that as well. Not only are these children being trained within the Congo, but some of them are brought for training across the border in Uganda proper.

Ugandan officials, and that is to say commanders of the Ugandan army, have been implicated in war crimes by overseeing the execution of non-combatants. We have located incidents that we have documented. What is the Ugandan army and government doing about holding these military commanders accountable for war

crimes basically?

The message should really be a confrontation on the conduct of the Ugandan army and the areas under its occupation in the east. This message has not been addressed to the Ugandan government, and I think it is about time that people speak out about these issues

Ms. McKinney. Yes.

Mr. ROBERTS. I need to preface this with the fact that I am a sci-

entist and not even slightly diplomatic in nature.

When I read in the paper that the U.S. Ambassador in Kigali is saying that the war in the east cannot be resolved until the Congolese solve the security problems and then I hear last year that our Ambassador in Kinshasa has said publicly that this war cannot end until the foreign armies are withdrawn, it implies to me in my ignorance that we do not have a policy for the region and for this conflict.

I am ecstatic at the notion that Colin Powell will go to any country involved in this conflict for nothing else that it dramatically increases the chance that he will develop a policy so that we can say the same thing on each side with great consistency and every voice of the U.S. Government.

If he goes, I will do somersaults for joy, and I hope he would meet with the highest level folks both militarily and politically that he can, and I hope that whatever his message is, it is a message that will be given to Kabila and to everyone involved in this conflict.

I did not say this in my testimony, but it is in my report. If you look at who has been killed in the 148 murders that we have documented, and when I say the word murder, two-thirds are gunshots. The next most common is attacking. The next most common is burning alive in their huts. That is what I meant by violent deaths in our report.

An equal number have been committed by the opponents of the RCD than the RCD it would appear. There are no good sides in this conflict, and that makes Colin Powell's job really hard. I am the first one to say that. The more time he spends there thinking about it, the better off we all are.

Thank you.

Ms. EDGERTON. Les may be the first one to say it, but let me follow up and state that Colin Powell, if he were to go to Uganda, would be welcomed greatly by I think all of us here on the panel and many in the humanitarian assistance community.

Last Friday, Colin Powell spoke to our board of directors at Refugees International and reassured us that the Administration is committed to conflict areas and to assisting with conflict resolution.

However, he gave no specifics.

If he were to go to Uganda as Secretary of State, I think that high level, Museveni and on down, speaking about the exploitation of resources as is in the U.N. exploitation report that you referred to, child soldier recruitment that has been taking place across borders. Those are Congolese children that Sulaiman just referred to who are trained in Uganda and other areas of occupation that are occurring across the Ugandan border, as well as possibly reaffirming the humanitarian rights necessity of following humanitarian or human rights records in order to be a legitimate international player for Uganda.

Thank you.

Mr. Madsen. Congresswoman McKinney, I just want to make a point that whatever Colin Powell does in Uganda, he certainly might not want to emulate what the previous Administration did there.

Ms. McKinney. Yes.

Mr. Madsen. I was in Kampala 2 weeks after President Clinton's trip to the country back in 1998. I was sitting with the leader of the opposition there, Mr. Lukemuzie, at the Sheraton Hotel in Kampala. Incidentally, we had a number of Museveni's secret police sitting around eavesdropping from other tables on our conversation, which I think is endemic of the situation in Uganda.

Mr. Lukemuzie told me. He said when President Clinton was in Uganda, he did not even want to spend 5 minutes meeting with the members of the opposition. You know, he went on to say, you know, I used to look to the United States, you know, the statue of liberty

and all those things that I admired America for.

When your President was here, not only did he not want to meet with any of the members of the opposition; the Assistant Secretary of State for African Affairs, Susan Rice, basically lectured them and told them they ought to really get off of this democracy kick and start to learn how to accept Museveni's one party system of government.

It was very embarrassing, number one, to sit there and have to hear the leader of an opposition complain about the United States and the Clinton Administration's policy, so I would just urge Secretary of State Powell to make sure he can make amends for the last Administration and meet with the opposition in Uganda as well.

Ms. Mckinney. What is the military relationship between the United States, Uganda and Rwanda in terms of bases, relationships with leaders, and training relationships that would allow the United States to turn a blind eye to the kind of egregious behavior, actually criminal behavior, on the part of its allies?

That is for anyone.

Mr. MADSEN. Okay. I will step up to the plate on this one first,

I guess.

The background to the U.S. relationship with the RPF government and Uganda goes back to 1990 before the original invasion of Rwanda by the RPF from Ugandan soil, and it has taken many different roles. It includes, as I mentioned in testimony, covert and overt assistance.

There is, of course, the overt assistance, the African Crisis Response Initiative, which Uganda seems to be in and out of that program depending on whether they are being suspended for human rights violations or failure to withdraw troops from the DRC, but, more importantly, it is included in what they call Joint Combined Education and Training Program, JCET, Enhanced International Military Education and Training.

President Kagame himself was attending the U.S. Army's staff college in Fort Leavenworth, Kansas, at the time the invasion was launched in 1990. I have been told that Kagame has very close ties with the U.S. military, including the Defense Intelligence Agency. Many members of his upper echelons in his military and intelligence structure who, incidentally, I understand may be indicted here by the U.N. war crimes tribunal, were trained by U.S. personnel. That goes right through the military and the RPF intelligence structure.

With Uganda, there were reports of a number of U.S. intelligence and military bases. There is, of course, the base that is often reported in Cyangugu, Rwanda, but also other bases around the country.

Ms. McKinney. Do we know about any military bases in Ugan-

da?

Mr. Madsen. Well, when I was visiting Uganda there was, of course, a lot of talk about an intelligence selection facility in Fort Portal, which was then closed and moved elsewhere, but it was apparently involved in picking up signals from then Zaire during the

initial invasion from Rwanda, that country.

There has also been a number of reports that personnel from the U.S. Special Forces in Fort Bragg have been involved in training not only Ugandan military forces for SPLA guerrillas in the northern part of Uganda, and there have been reports of a military training base in Ginga in the eastern part of Uganda, so there are ample reports of U.S. military presence in both of those countries regardless of whether they are under suspension by ACRI at any given time.

That seems to be a revolving door with ACRI. When they decide to suspend, it is usually for a couple of weeks or a month, and then

they are back in.

Ms. McKinney. I remember in the mid 1970's Henry Kissinger's policy was to arm the UNITA and FLNA in Angola in the Angolan struggle for self-determination against the NPLA. Because of the fervor in the United States on the part of African-Americans, African-American men were recruited in a very insidious and cynical twist to go and fight in Angola on the wrong side.

Now, are African-Americans being particularly recruited to go into Uganda and Rwanda on behalf of the United States? Do you

know anything about any of that?

Mr. Madsen. I have talked to people who have been in eastern Congo and also in Uganda that claim to have talked to/been with African-Americans with the Special Forces. I think this also gets into an area of, you know, who is actually in the military and who may not be because I have also been told that some of the people with the American forces spoke fluent Swahili, so are they contractors? Are they U.S. military personnel? Just who are these folks?

I think this gets us to the roots of the problem with these covert activities. We do not know who is doing what. The covert nature of these activities, you know, leaves congressional investigators, reporters, other people out of the picture. It is hard to get the information on them, but I think definitely what has been going on since the early 1990's as far as the U.S. is concerned needs some sunshine because in this case that would be the best disinfectant to find out just what was going on, who knew what when and when did they know it.

Ms. McKinney. In about 1995 or thereabouts at a briefing that I received from the State Department, I was told that the Congo was too big and that it was unwieldy and something really needed to be done about that. I was also told that I should not expect Laurent Kabila to last for any length of time. The prescience of the

Clinton State Department in this regard is remarkable.

The question I have is about the delivery of humanitarian assistance into the eastern part of the Congo. I think it was Dr. Roberts who pointed out that Kinshasa is a long way from where the fight-

ing or the problems in the east are taking place.

If we understand that there are some people who really want the permanent partition of the Democratic Republic of Congo, how do we address the humanitarian situation without furthering that partition that is against all the precepts of the organization of African unity and international law, et cetera, et cetera, et cetera?

Mr. Roberts. First of all, I need to point out that we in the NGO community normally bend over backwards to remain neutral in

conflicts like this.

Secondly, that there are certain things happening right now, such as children dying of measles at extraordinary rates that could be stopped by vaccinating those kids, and that should be done. It is quite independent of whether or not we are propping up or increasing the probability of longevity of a regime we do not like.

Vaccinating children, providing a few minimal things to keep people alive until the political process has sorted out I think does not necessarily interfere with your political efforts to have one unified Congo or whatever it is that the world community and the Congolese, more importantly, decide is their destiny.

I do not think there is any inconsistency with keeping children alive and pursuing some political objectives which you may have.

Ms. Edgerton. Congresswoman?

Father BAHALA. I just want to add a small something about the

integrity of the national territory of Congo.

We hear the U.S. supports the integrity of the territory, but the Congolese people when they look and they hear the type of statements that you refer to, we fear that there is a plan to sell our country, and I would like to go on record and say that is something that nobody in the Congo accepts. We do not accept that, and we refute that idea of partitioning our country.

I would like to say that if anybody thinks that they are going to continue that idea, then they are going to meet with the type of resistance that you have seen with militias springing up everywhere because the Congolese people refuse categorically that idea.

We also have the impression that the international community has something that may cause two readings of the situation in the world. For instance, when the same situation took place in Kuwait and in Kosovo, the whole international community mobilized itself to defend the international law in that matter, but now here in the Congo it is another story.

Now I would like to talk about humanitarian assistance. I can tell you something about that because I was there. I was a witness when the situation in Rwanda took place. The whole international community mobilized itself to feed the Rwandese refugees when they came and they crossed the border into our country. They mobilized millions of dollars to help out.

When the Hutu refugees were massacred, nobody said absolutely anything. Now today we are being held responsible for being

genociders just because of what has happened there.

We also are wondering why is there not any type of help given to the Congolese people who are today living under the same kind of the brunt of what I would call the consequences of the conflict? They are living in misery basically.
Also, I would like to end by saying that, should there be any sort

of humanitarian assistance, the civil society and the churches are

very well structured in the region to take on such a task.

Ms. Edgerton. Congresswoman, if I may? We in the humanitarian aid community, NGOs, when we meet with U.S. foreign policy officials are told that humanitarian access and humanitarian assistance are not necessarily linked at all to the political U.S. foreign policy process of whatever country aid is being delivered to. I want to say today that that is probably something that works

two ways. You can deliver benign humanitarian aid in a way that it is not at all a reflection of U.S. foreign policy, nor should it be brought to the negotiation table as some kind of chit to be traded away.

Mr. Madsen. I just wanted to make one point about the breakup of the Congo. I mentioned the previous Assistant Secretary of State for African Affairs. I am afraid from what I have read, the next person to fill that post it just seems like neither the last Administration or this Administration can get that thing right.

Mr. Kansteiner, who has been nominated to assume that function, wrote a couple of things that are troubling. Back in 1996, he called for the division of the Congo and the Great Lakes region between primary ethnic groups creating homogeneous ethnic lands that would probably necessitate redrawing international boundaries and would require massive "voluntary" relocation efforts.

In another piece he wrote for the Pittsburgh Post Gazette last

year he stated that, "The breakup of the Congo is more likely now than it has been in 20 or 30 years."

It is also troubling that Cansteiner once worked for the Department of Defense where he worked on the Task Force on Strategic Minerals. Obviously what was said today about the criticality of these natural resources to the problems, to have a person involved with U.S.-Africa policy who served on such a board is very trou-

Ms. McKinney. Thank you. I just got a note here that

Cansteiner's confirmation is today at 4.

I have 2 minutes to go and cast a vote. I will run there. I will run right back. I apologize. Let us recess, and then we will take up with Dr. Roberts.

Thank you. [Recess.]

Mr. TANCREDO. I extend my apologies to the witnesses for the interruptions that we have had in this process. It is, unfortunately,

the price you have to pay.

Also to assure you, do not be concerned if we are talking here and you are trying to provide testimony. It is not just for our elucidation. It is for the record, which is extremely important for all of us. Your comments will be taken into consideration, I assure you.

I want to continue with and follow up to a certain extent anyway on what I understand to be Ms. McKinney's line of questioning, and that is, first of all, again this would be to any one of the members of the panel.

Who should the parties to the peace process be, the foreign governments supporting the rebels or the rebel leaders themselves? Along with that, whom should the international community and U.S. pressure to talk to President Joseph Kabila and his officials?

Does anybody want to take a whack at that?

Ms. Edgerton. I will start with the first one and then probably hand over to Father Bahala, who can speak more readily to this.

It is called an inter Congolese dialogue for a reason. It is a national dialogue. I think the occupying forces are very interested in being a part of the national dialogue. I think that is a mistake. The sooner the dialogue takes place, the more legitimacy the occupying forces who are occupying parts of Congo have in actually having a place at the table. I think it is a very dangerous policy to follow.

Mr. TANCREDO. Go ahead.

Mr. Baldo. The world has several layers. One layer is an international law. Occupation forces are present as occupying powers in Congo, and there is a need for negotiation between the Congolese government and with the occupying powers of Rwanda, Uganda and Burundi to obtain their withdrawal and preservation of the total integrity of Congo.

There is also a civil war in Congo. At that level, there is a big question about the legitimacy of several of the rebel groups. We know that let us say the Congolese Rally for Democracy signed the peace agreement in Lusaka not as a movement, but as 50 individual members, founders of that movement. Therefore, if you look at the reality of the rebel movement there are several leaders claiming to represent that.

I knew of a faction, the Offcide Nationale, which is a one man rebel group headed by Rogen Bala. This is a covert operation for the exploitation of diamonds in the town of Bafasundi in northeastern Congo. This is his only legitimacy, and that is to protect

the interests of Uganda.

The Congolese Rally for Democracy liberation movement headed by Wamba dia Wamba groups about six members, founding members, of the original Congolese Rally for Democracy, who are operating from exile from Garselam, Gaproni, Kampala, Brussels and who operate as a revolutionary movement that is distributed through faxes and e-mails and to demand that they be presented in discussions and associations.

They represent no one. They do not have any constituency on the ground. They do not have any military power or control over whatever. They only seem to have put their name on the Lusaka agree-

ment.

There would be a lot of sorting out that needs to be done. I believe the fact has to be acknowledged that these are not groups backed by Rwanda and Uganda. These are political fronts for Uganda and Rwanda in the occupation of Congo.

Thank you.

Mr. TANCREDO. Do we not then risk along with, and whoever wants to continue answering the original question please feel free to do so. I just want to add do we not then risk legitimizing these organizations, any organization, any rebel group, if we make them

part of the peace process?

Mr. BALDO. Now, in occupied areas there are genuine and legitimate representatives of the population. These are the local civil society groups and community organizations, which are the only access on the ground with any real constituency of any kind, coming mainly from their role in maintaining or sustaining the survivability of the Congolese population for the kids not only since the beginning of this war, but since the state has totally collapsed under Mobutu. It was these actors who really stood by the population and are still trying to protect the survival of communities in eastern Congo.

The inter Congolese dialogue should not be allowed to be hijacked by the rebel groups and by some political operation groups, but rather the efforts should be maintained to ensure that genuine civil society organizations in occupied areas are the ones which are

represented.

Thank you.

Mr. TANCREDO. What a challenging situation you have presented for us.

Father Bahala?

Father Bahala. Yes. I would like to bring a historic witnessing to what happened here. On August 2, when the rebellion between "inverted commoners" came into Bukavu, what we saw on the ground was Rwandan troops that had just been thanked by President Kabila and asked to go back to their country. That took place on July 27.

Then a week afterwards we saw an old man coming there into the region and saying that he is representing a movement. That was Wamba dia Wamba. What we are saying is this man came in a week, or actually 3 weeks after we have seen movements of Rwandese soldiers in Bukavu.

Today, the population has never endorsed this war as its own war. What the people fear when they look at the Lusaka Agreement is that all of a sudden it came to legitimize something that the people regard as invasion. Today, the rebels, again in quotation marks, leaders are despised by the people because the people realize that they have absolutely no backbone apart from their godfathers.

As a matter of fact, Rwanda and Uganda spend their time ridiculing these people. Yesterday it was Zaidi Ngoma. Then it was Ilunga, then it was Wamba dia Wamba. Now we see this young man called Onusumba. We are sure he is going to go as well. Basically what it is, is they are being ridiculed by their godfathers as I call them.

Now about the inter Congolese dialogue. Yes, it is something that is necessary. However, it needs to be given specific goals and goals that, you know, will end in peace results. We want to see the installation of a true democratic process. We want to see good management, good governance.

Today when you look at all these political parties, you know, we do not know who their members are. That is the first thing. Who are the members of the political parties? The second thing is that the rebel groups live in fear because they, first of all, have blood on their hands.

Second, they are afraid of sitting face to face to confront their own brothers. In this whole situation of fear you wonder how the dialogue is going to take place.

We think that there should be first and foremost the withdrawal, the departure of the foreign armies so that at that particular point the Congolese can speak soul to soul with each other.

Mr. TANCREDO. Thank you very much. Ms. EDGERTON. If I can just add on?

Mr. TANCREDO. Mr. Roberts?

Ms. Edgerton. I am sorry.

Mr. TANCREDO. I know Mr. Roberts is also desirous of speaking, so go ahead.

Ms. EDGERTON. Just to follow quickly on that same point, some of the difficulties of having occupation endure longer and longer.

The current political structure in the Goma held territories, the Rwandan held territories, are actually being trained across the border. They are being brought into Rwanda, the local politicians. In January and February, 475 local politicians were held in Rwanda for 6 weeks for a "training" into what it is to be in RCD held territory.

Čivil society in the Congo is currently without a voice, and the occupying forces are making sure that the political will is not with the civil society, but rather backs the occupying forces. This gets stronger as time goes on and we do nothing.

Mr. Tancredo. Mr. Roberts?

Mr. ROBERTS. I would actually like to broaden your original question and ask how can we create an environment where dialogue

and peace negotiations might happen?

I am not an economist. I have only worked in seven wars, but I have never seen a war so economically driven. I have heard a lot of people say this war is auto financed, at least in the east. It must be true from my hundreds of kilometers on foot and thousands of kilometers of going around in the bush.

The scale of mineral exploitation which all is leading by helicopter elsewhere is just immense. It is just immense. I fear that with so many economic forces driving this war to expand the status quo that there are always going to be things to sabotage the inter

Congolese dialogue and the other things that we value.

Let me give you just a couple of tiny examples. I am told by Herbert Vice, who is a professor in New York and went out to the eastern Congo last year, that rough diamonds in Kisangani are more expensive than rough diamonds in Brussels, Belgium. Why? Because every drug dealer, every person in Africa who has cash they want to launder, go to Kisangani, and they are happy to lose 10 percent of their cash so they can put it in a Swiss bank account and come up with a chit and look official.

I am told by a friend who works in Uganda, an employee of the U.S. Government, that it costs \$500 to get a car across the border in Uganda and across the front of this war. Why? Because people who carjack vehicles in Kenya and Uganda launder them across

this war.

There are a lot of economic interests in keeping this war going, and I would hope that one part of our policy would be to create an environment where the economic incentives—we cannot stop them. We do not have that much control, but probably we could dissuade them.

If a country is the fourth largest exporter of diamonds in Africa and they have no diamonds, we probably ought to be able to say hey, that does not seem very acceptable.

Thank you.

Mr. TANCREDO. It strikes me as you share this kind of information with us that there are so many similarities to this particular problem in the Congo and in a number of other countries in Africa.

I am certainly more familiar with Sudan myself.

After so many years of strife and when that strife takes on other aspects, not just ethnic or villages, cultural and all the rest of it, but now an economic component, the intransigence of all sides becomes incredible. Everybody assumes the status quo is okay essentially because it is either profitable financially or from the standpoint of power.

Peace is a fearful thing. What will happen under those conditions, you know, to power, to the money that pours forth? It just complicates the situation so dramatically. I think that you have certainly accurately portrayed it, but I keep wondering about the extent to which any of the various political parties that exist in the

country, opposition parties.

In your estimation, Mr. Baldo perhaps in particular, is there any one or more political parties that today has the kind of infrastructural support that we could look to as being a viable governing body should a time come that we can actually look to free elections and that sort of thing? Is there anything there today, or does it all have to be created?

Mr. BALDO. During the campaign to chase Mobutu out of power, the Union for Democracy and Social Progress proved that it has some national constituency.

Mr. TANCREDO. That is headed by? Mr. BALDO. Headed by Tshisekedi. Mr. TANCREDO. Yes. I have met him.

Mr. Baldo. Yes. Many of that party in the east and in the south and central of Congo actually played a major role in facilitating by then Laurent Kabila, the rebel leader and his ADL, the Alliance for the Democratic Forces for Liberation of Congo. The way they did it was by organizing civil disobedience campaigns in towns like Isgarnia and elsewhere. They called them ghost towns whereby people just simply stay at home to mark their opposition to the government of Mobutu.

I believe that is a thought which has some national dimension. The other part is like the Union for Independent Federal Republicans in Lumbashi, Katanga, I think has some more regional priorities and concerns, but they are very powerful in Katanga. There are really several parties which have national support. That is

what I am trying to say.

Mr. TANCREDO. Let us assume for a moment that in order to bring this thing to a successful conclusion that it would require the support of the United States and other parties to get behind the Kabila government. Let us just take that as a hypothetical for a second and really support their efforts in every direction and every way that are identifiable in terms of a positive outcome.

In doing that, do we risk damage to those or potential damage, I guess I should say, to those parties that do exist today? If we put all of our efforts behind the Kabila government, is there a possibility that we actually weaken what sort of opposition might exist

there, a legitimate opposition in the country?

Mr. Baldo? Okay. First let me ask Mr. Baldo if he has a response

to that. If not, we will go to Father Bahala.

Mr. BALDO. Yes, sir. Very quickly, the issue is lack of legitimacy. President Joseph Kabila is there because he is the son of Laurent, so there is a general problem of lack of legitimacy. I have described it, and the government statements are the same.

I believe that Kabila, the son, feels that there is a lot of endorsement of international support, unconditional support, and may be tempted actually to try and marginalize all other forces in the

Congo.

Mr. Tancredo. Yes.

Mr. Baldo. By the way, the other forces are not only the political opposition. As I said, there is a vibrant grassroots national civil society movement. The Congo is very much engaged in national issues, economic, as well as social and so on. Therefore, these are the forces that are detained.

Any kind of support for Joseph Kabila would have to take into account the fact that he must be held accountable to ensure freedom of association, participation and assembly for all other social actors and political actors in the country.

Thank you.

Mr. TANCREDO. Thank you.

Yes, Father Bahala?

Father Bahala. As a journalist, I have observed how political parties function in my country. To add to what Mr. Baldo has said, I would like to say that the political parties that were created after 1992, meaning after the democratization move by Mobutu, come with different characteristics.

Apart from the big parties that Mr. Baldo has referred to such as UDPS and PDSC and MNC, we have also witnessed, you know, Mr. Mobutu encouraging the springing up of other parties that are called bread and drink parties.

That came up to 400 parties, some of which you would see is just the father and the mother and the children, and they make up a party. That is what today actually makes the biggest difficulty in the legitimacy of the parties.

The second problem is that the big parties that we are talking about, such as UDPS, are today subject to internal division so before giving them any type of support one question that should be

asked is in whose name are they speaking.

For example, let us talk about the party of Mr. Tshisekedi when, for instance, he takes up the stand that he can create a political platform by talking with the rebel movement. That brings up the question of orientation in the sense that there is another, I would say, faction side of his party that is under the leadership of Mr. Kibasa Maleba, who are coming on record and saying that they disagree with the move, you know, to ally with the armed movement.

So today if Mr. Kabila, for instance, has no party we think that is a good thing because it is not about having a political party. It is about having a vision of society. What we are witnessing and we are observing is that none of these political parties seem to have a true project of society that aims at transforming the lives of its people.

What it seems like is that people who are getting into politics want to arrive in power without election, so our stand is to encourage elections. And we, the civil society, say with or without the inter Congolese dialogue we want to go to elections.

Mr. TANCREDO. Thank you very much.

Perhaps I should add not that there is a lack of political parties out there I understand, from what you are saying. It is just that perhaps the Bahala party is the next thing we ought to consider. You certainly are an eloquent spokesman.

Ms. EDGERTON. Congressman Tancredo, if I can just add in at the end of that—

Mr. TANCREDO. Of course.

Ms. Edgerton [continuing]. Because of Father Bahala's excellent testimony just to show you that Congolese civil society is very passionate, very active, very engaged, but they are currently without a voice.

What we should be able to do is bolster them through the inter Congolese dialogue so that they do have a voice. They will be able to decide their own political parties, to have them. As you can see, they are capable, passionate and committed.

Father Bahala is one member of civil society who deserves our support as a civil society member. They will have their own political parties. They will be able to choose that. They have already had two national elections in a country that has absolutely no infrastructure. That alone is impressive.

If we can just get them to a point where they actually can dialogue, I think we would have been of assistance.

Mr. TANCREDO. Thank you.

I am going to the questioning now, and then we will wrap up after my compassionate, capable and passionate companion here takes over.

Ms. McKinney. I will try to be brief, Mr. Chairman.

First question. Jean-Pierre Magabe, a former RPA intelligence officer who fled Rwanda and has testified that Paul Kagame planned the downing of the plane carrying Javier Romana and Entorea Mera, testified to me on April 6 of this year that RPA soldiers massacred innocent Congolese and blamed it on the interahamwe.

Is there any evidence that the U.S. has trained soldiers who par-

ticipated in massacres?

Mr. Madsen. Congressman McKinney, certainly the evidence is quite clear that the U.S. has trained not only the top leadership in Rwanda, but through these various military training programs that has gone down to the level of colonel, lieutenant colonel and even down to senior non-commissioned officers.

I would note that the recent report that the U.N. is seriously considering now indicting Kagame himself, Colonel Niamwasa, Colonel Jacques Enziza, Colonel Kabarave and Colonel Embengura. Embengura, I might add, was held directly responsible for some very heinous massacres in not only Rwanda, but also amongst the non-genocide Hutu refugees in eastern Congo.

The fact that these people, who were trained by the United States, it is now being considered that they might be indicted for war crimes. I think now more than ever I think the U.S. military and the intelligence community should turn over any evidence that it has. What training did they provide? When did they provide it? What was the level of effort involved with U.S. covert support for the RPF beginning in 1990 with the initial invasion?

Maybe there we can also get at who was responsible for the downing of the aircraft that triggered that terrible genocide in Rwanda in 1994 that led to a counter genocide against Hutus in

Zaire and then Congo in the years following.

I think now more than ever, based on people who have defected like Mugave from the RPF, and I might add many others have defected. There are other international investigations taking place with French Judge Brugiere and another former French Judge named Jean-Pierre conducted a separate investigation and came to the conclusion that the RPF was responsible for the downing of that presidential aircraft that triggered this terrible confrontation.

Ms. McKinney. You successfully answered two questions and then forced me to pose me another one. Just for a bit more explication, in a conversation that I had with the Deputy Foreign Minister of Angola I mentioned the fact that the United States turned a blind eye to the 1994 genocide, and I was complaining about that.

Of course, now we know that the United States did more than turn a blind eve.

The response from the Deputy Foreign Minister was which genocide? I think we have had testimony here today to suggest that we have genocides occurring inside the genocide, additional genocide, counter genocide, but we just sort of talk about 1994, the downing of the plane, unleashed this torrent of violence and what has happened in terms of genocide, counter genocide, genocide inside genocide that has happened as a result of the fact that a foreign power, as we know, was involved in aiding and abetting in the downing of the airplane and that that foreign power has yet to be named or to make any kind of accountability for its participation in this disaster that we are talking about today.

Mr. Madsen. As I mentioned, the French and the Belgians, their Parliaments have both looked into this matter. If they were the foreign power that was responsible, I would doubt that they would have any interest in holding hearings, having testimony, doing a

thorough investigation.

You are correct, Congresswoman. The only power that has yet to step to the plate, and now we even have the British saying they are going to look at, you know, the role of private military companies. The only power that has not stepped up to the plate and conducted an investigation is the United States.

We have had OAU investigations, United Nations investigations. There have been investigations by Canada, but as yet the United States has not conducted any sort of independent investigation, and I really think that in this case maybe the guilty party decides

to remain silent.

Ms. McKinney. I would just also like to add that not only does the guilty party choose to remain silent, but Madeleine Albright the OAU report said or one of the persons writing the report said that they did not understand how Madeleine Albright could live with herself for what happened there.

We wrote a letter to President Clinton and to Madam Albright requesting the cables since she said she screamed because she did not like the orders that she received. We wanted to see those cables. We have not received even yet a decent acknowledgement of

the letter that we sent.

Did you want to say something?

Mr. Madsen. Well, I think that this Subcommittee deserves much credit in trying to get that information out of the Administration as early as 1997. I know Congressman Smith sent about the letter, and what he got was, you know, and I gave him a lot of Freedom of Information Act requests.

I have to say, you know, that the Subcommittee asked for information on what role the U.S. military may have played in training members of the Rwandan military. He got back information back on the civil war in Lebanon. In the FOIA community, we call that a non-responsive answer to a FOIA request basically that did not answer any questions.

I have to assume that the non-responsiveness was probably due to the fact they did not want that issue looked into any further.

Ms. McKinney. It is amazing to me that the people who were involved in the coverup of the information regarding the plane crash, they all got promotions and the prosecution of the genocide, for that matter.

Colby Annon, who in the Carlson report is fingered in 17 of the 19 identified failures, got a promotion to Secretary General championed by Madeleine Albright. Lewis Arbor, who quashed the investigation, the U.N. investigation into the downing of the airplane, got a promotion to Canadian Supreme Court championed by Madeleine Albright.

Madeleine Albright herself, who claims she screamed—she was doing more than screaming, I believe—got a promotion, too, to Secretary of State. It is a shame. It is a disgrace. Bill Clinton should

be ashamed of himself.

Anyway, the Rwandans say that they have spotted interahamwe in Zambia. What does that portend for yet the widening of the war at the same time that Museveni says that he wants an additional \$100 million U.S. for security purposes?

Mr. Madsen. Well, the fact that they are now bringing Zambia into this, I am afraid that what we could have happen is if Zambia becomes a target there is also a rebellious movement with some le-

gitimate claims in the western part of Zambia.

If the presence of interahamwe in that country leads to U.S. intelligence people going in and private military companies-

Ms. McKinney. The so-called presence of interahamwe.

Mr. Madsen. Exactly. The so-called presence. Will they be used

for other purposes in putting down yet other rebellions?

Of course, Zambia is far from a democracy. Zambia borders on Namibia, and there is a problem on that border. Namibia, of course, is also a source of diamonds. There has been a great find of diamonds recently on the Namibian coast, so I am just concerned that as I sort of postulated when I first looked into this matter.

Was the destabilization of Rwanda an excuse to be able to get to the natural resources of Zaire and then Congo? I believe today that it was, and any other type of foray into other countries on the continent could have the same goal in mind.

I really think that to talk about the so-called interahamwe in Zambia could be an expansion of what has already been a very costly war.

Ms. McKinney. Mr. Chairman, if you would just indulge me for a moment?

Father Bahala has traveled tens of thousands of miles to be here. This is the one shot at getting this information into the congressional record that students generations from now will look at this record, and they will know what happened. If you will see it nowhere else in the media, you will see it right here.

I would like to ask the question because I saw Madeleine Albright sitting on the stage with Leon Pinetta, and she had the biggest, hugest diamond sitting on her earlobes that I could imagine.

Could you tell me the role of Maurice Templesman in U.S.-Africa policy and in what might be happening today in Congo and Sierra Leone?

Anybody? Okay, Wayne. Go ahead.

Mr. Madsen. It looks like it is me. Well, Maurice Templesman, who probably heads up one of the largest diamond cartels in the world as far as trading in diamonds, his involvement in Congo goes

back many, many years, and it is certainly very sordid.

He was in Congo back in the early 1960's. He was present when Patrice Lumumba was assassinated. He was a colleague of the CIA station chief there, Mr. Larry Devlin. It is thought that he basically was involved in handpicking all the Congolese leaders up to practically the present time.

When current President Joseph Kabila visited Washington, quite surprisingly, a few weeks after his father's assassination, of course,

he had a meeting with Maurice Templesman.

I am quite concerned about the relationship or at least the influence that Templesman had in the last Administration because when you look at where the Administration chose not to act, they were in areas that are sources of diamonds—Congo, SierraL eone, other countries in the region. I think that is very troublesome. Even countries where there may not be diamonds.

We certainly turned a blind eye to the atrocities committed by Charles Taylor. Now we know that he is one of the major

bankrollers of the RUF in Sierra Leone.

I am quite concerned about influence peddling in the last Administration and whether that influence peddling led to a U.S. foreign policy that chose to look the other way when all these conflicts, civil wars occurred for the purpose of enriching the bank account

of people like Maurice Templesman.

Ms. McKinney. It is amazing to me that you could have a U.S. policy in Sierra Leone that cleaves itself to hand choppers and rapists of 12-year-old little girls, which is what the Albright policy in Sierra Leone was, and then we find out through U.N. documents that Maurice Templesman said to Fotay Sanko in the rough that we can do business together. That is documented in the United Nations report, which will be submitted for the record.

We also would like to submit for the record the Carlson report,

the Fowler report and the most recent Bondau report.

Madam Bondau has been subjected to death threats because she chose to tell the truth and name names. Now, if the international community will allow this one lone woman who stood up for justice to be moved down by the very people who are committing all of these crimes, then who are we? We are all complicit.

I just have one final question. I would like to note the mysterious circumstances under which Archbishop Catalico Awisay was murdered,—you do not have to say it, Father Bahala—the United Nations worker who was said to have committed suicide. I wonder if there is any investigation going on of that murder? That United Nations worker was looking into the expropriation of resources by the Rwandans and the Ugandans from eastern Congo.

The list continues to grow of people who are fleeing Rwanda. They say that their lives are in jeopardy. Murders are being com-

mitted. Those murders were preventable.

Then to each of the panelists in conclusion I would just like to ask you one question, and that is is there any topic that we did not discuss here today that needs to be put on the record?

Let us start with you, Father Bahala.

Father BAHALA. Thank you, madam, for being the advocate of those who have no voice.

I just want to add three points here. The first one is that all of our efforts are crushed by the impression that we get that there is an international coalition to silence us; so when we tell people to live in peace, to work for peace, it is like our efforts are practically hollow in front of what the other people are doing.

It is that international lie that we ask that you denounce today; that the American people would know really what goes on in Central Africa and that it is a vast enterprise of accreditation of re-

sources over there.

Next, I would like to say something about the question of "interahamwe militias" for Rwandan security. I would like for the U.S. Government that is known to, you know, give support to Uganda and Rwanda to just ask a simple question to these countries. What are really their concerns about security?

Countries cannot by themselves, and this is creating a problem, invade other countries because once you start doing that it means that anybody who feels that they are a little bit stronger than another one would just do that, go and invade another country to

solve whatever they perceive as the problem.

Now, the questions that really need to be asked that we are asking that the U.S. ask Rwanda is that these interahamwe, how many of them are there? Where are they? What do they, Rwanda, intend to do with them? If there are 10,000 of them or 15,000 of them, what are they going to do with them so that at least those questions are going to be answered and we can start moving from there.

The last point I would like to add, madam, with your permission is about the word economy and looking into how the plundering of the resource of the Congo is organized. The question here is when you look at the diamonds or the coltan, timber, et cetera. This I am really asking as a priest and a human rights activist. Do all those things really require or is it worth the death of so many people? Does the world economy progress in this case?

For instance, let me say it in another way. Does the U.S. get any benefits really by getting the diamonds and the coltan from a divided Congo? Or would it be more to its credit if it got these riches from a unified Congo that could also progress with bilateral ac-

cords.

Mr. Baldo. Thank you, Madam Chair and Mr. Chairman. I would like to highlight two problems really; the link between human rights violations and the humanitarian crisis in Congo. I

will give two specific examples.

One is the situation in Kisangani. In June of 2000, Uganda and Rwanda went to war for the control of Kisangani. Because of its strategic value, it is for the control of the control for the selling and buying of diamonds and all the available cash not from Africa, but there are several shady characters from all over the world who come in by night with lots of cash and depart by night with small bags of diamonds, so it is the black market of diamonds which is involved.

In the fighting in June, 760 Congolese were killed in the cross fire between the Rwandan and Ugandan armies. Four schools were destroyed partially or totally, leaving children without any schooling. Several dozens clinics and hospitals were totally knocked off functioning. Places of culture, which are protected under international law like the cathedrals, were also damaged.

There is an international decision of the U.N. Security Council, a resolution asking or mandating actually reparations from these two countries for the Congolese population. Nothing is happening. Why is it not happening? Because I believe there are double stand-

The issue of the fact that Uganda is the largest recipient of World Bank money in the African continent has benefitted from the total forgiveness of its foreign debt. Uganda and Rwanda rely on international financial institutions for more than half and including budgetary support for more than half their national budg-

All this has really encouraged them to adopt this attitude of ignoring even the resolutions calling on them to pay for direct criminal violations in Congo. Therefore, I believe we are facing a situation of group criminality by these actors in Congo leading to this

damage.

The concern of this Committee should be how could a new U.S. foreign policy apply pressure to where they should be applied on the perpetrators, on the abusers, on the relenters of international laws and standards. The issue is accountability. Make these two countries pay for the damage done to the Congolese population. This is a very localized incident where if we are concerned about the humanitarian crisis we could really get some accountability for

The other dimension is real scrutiny of international financial institutions and bilateral support of continents involved in the Congo. We have not covered that point so far in the discussion. I would like to bring it to your attention.

Thank you.

Mr. ROBERTS. Thank you, Congresswoman, for that great question to close with.

Actually, yes, we have not yet talked about the most important thing, which in my self-interest would be what are we going to do to keep me from having to go back and interview all those wretched souls in eastern Congo again next year? Two point five million people sounds like a statistic to you. It sounds like a library packed with wretchedly tragic novels to me.

I have heard some things I like, but I have not yet heard the crisp things that could be done and that you could actually instigate without spending much money to help us march along toward having a coherent policy confirming our findings, doing some sort of assessment to either throw away the U.N. report officially in terms of the U.S. Government's official position.

Was the U.N.'s report on exploitation fair or not? If it was not fair, we should come up with our own coherent line. Is the humanitarian response that we are undertaking appropriate and a prudent and logical expression of American compassion? Has it been done well? Should it be greater or less?

There are some things you could do that would stimulate us to be a better player, and I would really love to before the day is over hear that something crisp is going to happen about what we do next.

Thank you.

Ms. EDGERTON. Thank you. While accountability is important, and I do applaud your efforts, Congresswoman, on unearthing things that we were moving forward without unearthing, the withdrawal of foreign troops is essential.

Today we have only mentioned Rwanda and Uganda, but there are also Burundian troops. There are Angolan troops. There are Zimbabwean troops, and there are Namibian troops in the Congo.

That needs to be put in the record, I believe.

We want to see more congressional action and pressure on humanitarian issues. That is why we came here to testify today, and I think that the overwhelming evidence provided by Les Roberts and his colleagues, the interviews, the dozens of interviews, hundreds of interviews that we conducted in the east of the Congo, as well as in Kinshasa can attest to the fact that there is a humanitarian crisis going on right now of grand proportion.

The U.S. response has not been appropriate or proportional to that crisis, and we would like to see congressional action so that

we can respond appropriately to the emergency.

Thank you.

Mr. MADSEN. I would just add that I think one of the major issues involved with the torment in Africa has to do with the war gods. By god, I do not mean God. I mean gold, oil and diamonds.

The whole reason actually when I was investigating the plane crash in Rwanda several years ago, which led to me writing a book, one of the reasons I really stuck with the story and expanded it was when I found out that American Mineral Fields, a company, AMF, was so involved in the first invasion of then Zaire. When I found out that its international headquarters was located in Hope, Arkansas, I have to say it got my curiosity somewhat.

Now, I have never been to Hope, Arkansas, but I was very curious why would an international mining company locate its head-quarters there. I soon found out why. Without getting into all the involvement of people in the Clinton Administration with that type of business, I would just say that I think the Bush Administration may be as close to the oil part of that god as the Clinton Administration was with the diamond part.

I would hope that unlike the Clinton Administration, this Administration has a chance to not let our Africa policy be influenced by these major multinational companies who do not care one whit about human rights, the suffering of people. They concern them-

selves about profit margins.

Because oil is getting more important, as we know, with this energy crisis, I would just hope that interest in oil and exploitation does not come at the expense of the people in Sudan, Equatorial Guinea, Nigeria and Angola. I would hope that, you know, a couple years from now I am not writing a book about the debacle of the Bush Administration in what could be, you know, human rights violations in those countries.

That is the only thing I would add. We have a chance not to make the same mistake that the last Administration made.

Ms. McKinney. Well, I would just like to say thank you to all of the witnesses.

Yes?

Mr. ALIMASI. Before when we get into the halls and you catch me on this, I wanted to go on record to say that I made a terrible mistake earlier when I was translating the section where Father Bahala talked about bishops and priests that have been killed.

I said women have been killed. Father Bahala actually said women were buried alive. I want to go on record, you know, mak-

ing that correction.

Ms. McKinney. Okay. Whatever truth you have gotten together or previously has come because of the actions of this Subcommittee. Whatever actions you have gotten in the past have come as a result of the advocacy of this Subcommittee. Has it been enough? It has not nearly been enough.

Whatever letters have been written have been written as a result of what we have learned during the past 7 years on this Subcommittee. We have more to do, but you have more to do too because, quite frankly, one congressional office cannot do it all. I cannot even convince my colleagues to be here today.

You are going to have to help. All of you are going to have to help. There is going to have to be a mobilization of public opinion.

You are going to have to write letters to the newspapers.

It is not good enough for Human Rights Watch to put out a report that is not reported, that is not commented on, that is not cajoled into every one of these congressional offices and the White House as well. I guarantee you I will do whatever needs to be done, but it is not nearly going to be enough.

Mr. Madsen failed to mention the fact that Banro Corporation is actively roaming around. That has George the elder Bush sitting on its board of directors or whatever. People are in powerful places, and they benefit.

I would say before, Dr. Roberts, you said that the U.S. did not have a policy. I think the U.S. does have a policy, and we are seeing it.

Chevron is still pumping oil. The diamonds are still coming out. The mineral resources are still coming out. People are benefitting.

It is just not the people that we want to benefit.

I would also add that now we have seen newspaper reports that Bill Gates is interested in what is happening in eastern Congo, and the fact that he provided or the foundation provided funding for your study is one good use of that money, but we also must marshal all of the forces to do more than we all have done. It is not nearly good enough.

nearly good enough.

Mr. TANCREDO. I thank all of the witnesses for their testimony. It has been provocative and I think quite profound. I share my colleagues' desire to make sure that the information is as widely distributed as possible, and as much as can be done from our point

of view anyway will be done.

We can only hope that because a new day has dawned here and new players are on the scene that they will change the course of policy in this area of the world and that they will be successful in their attempts to do so.

I have great hope and I have great confidence in the Secretary of State. One of the ways that we will determine whether this confidence is well placed to see exactly how and what kind of policy this country does develop vis-a-vis Congo, Sudan and a variety of other places that have begged for our attention for quite some time. Again, I want to thank all of you for your very, very important words and your presentation today.

This Committee is adjourned.

[Whereupon, at 12:30 p.m. the Subcommittee was adjourned.]

### APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

### REFUGEES INTERNATIONAL

# RI BULLETIN

#### A POWERFUL VOICE FOR HUMANITARIAN ACTION

April 30, 2001

Contact: Anne C. Edgerton 202-828-0110 ri@refintl.org

Child Soldiers in the Eastern Congo

Child soldiers are routinely forced into service or recruited in the eastern Congo by the RCD-Goma (a Rwandan-backed faction of the Rassemblement Congolais pour la Democratie) and other parties to the conflict.

The latest emphasis is on social mobilization programs to entice young men and boys into the RCD-Goma army or into Local Defense forces. Radio broadcasts call for the recruitment of watoto, a Swahili term for children which RCD-Goma claims refers to the "sons of the soil" rather than children in the literal sense. Yet RCD-Goma resists changing the term to specify that it refers only to men eighteen years of age or older. The speeches of local authorities often focus on duty and recruitment and it appears that local authorities have recruitment quotas. "The authorities are in competition with each other to recruit the most," a Congolese human rights activist told Refugees International (RI).

Forced recruitment, prevalent in towns a few months ago, has not ceased, but following local and international outcry against it, the focus has shifted to less visible rural areas. RI interviewed Mark, a 15 year old. Two months ago, Mark and five of his schoolmates were rounded up by four RCD-Goma soldiers while on their way home from school. He and his friends were put onto a plane and taken to an RCD-Goma training camp hundreds of miles from home. Mark escaped with two of his schoolmates. Three of his five friends died in the camp. Mark believed their deaths were related to the conditions in which they lived: they were fed once a day, the food generally consisted only of porridge, they had to sleep outside in the rain and they were beaten.

Often child soldiers are volunteers. Only a couple of weeks ago, Marie Claire's 12 year old son was successful in joining the RCD despite his obvious youth. Marie Claire, however, searched out her son at a military base and persuaded the commander to release him. A naive sense of adventure had stimulated the boy to join the army.

Grinding poverty is probably the main motive of boys entering the army voluntarily. Food is scarce, employment difficult to come by, schools have been destroyed. The army is a way to escape. "They [the recruiters] promise the sky," said one Congolese man who works with children. Recruits are unlikely to be paid, but they are usually fed and, with a gun they are in a

studied...." His answer was vague and open. "You know life here...." He spoke of the poverty and of the pressure from the army to "help them when there is an attack."

The local and international outcry against the recruitment of child soldiers has had an impact in the eastern Congo. Commanders and recruiters are more careful -- or surreptitious -- in their recruiting than they used to be. The armies in the eastern Congo have made some public gestures to dismiss from service a few child soldiers. Last May, the RCD-Goma issued an order establishing a commission on the demobilization and reintegration of child soldiers. The commission is not yet functional.

But those campaigning for demobilization claim the armies are only giving up "token" youngsters; the longest held, the sickest, and the most difficult recruits. <u>Rrs view, based on dozens of interviews, is that no party or army or militia in the continuing conflict in the Congo has refrained from recruiting child soldiers.</u>

Why child soldiers? "Children are more easily manipulated, less adverse to risk," said one international official. "They are more open to adventure and therefore commanders recruit kids."

Children under 18 years of age serving in armies in the Congo number many thousands. One small program for reintegration of former child soldiers in Bukavu has processed 340 through its doors in the last 20 months. Military commanders cite the shortage of resources for reintegration as one reason for not demobilizing child soldiers. "Where are they to go if they are not soldiers?"

The international community can do a great deal more in the eastern Congo to encourage demobilization of child soldiers and discourage their recruitment.

#### RI, therefore, recommends that:

- -- The UN, donors, and NGOs, local and international, form a united front to denounce recruitment and use of child soldiers. Public awareness campaigns should be expanded as should support to local and international human rights organizations.
- Increased international resources be made available for local organizations involved in tracing missing children who may have been recruited or forced into the army.
- -- The international community pledge resources for larger reintegration programs for former child soldiers, including follow up to ensure that former child soldiers are not re-recruited. These should include capacity training for local organizations which take on the majority of reintegration efforts.
- -- The international community make clear to all parties, including the foreign countries involved in the conflict that respect for human rights, including the rights of children, is an important determinant of international legitimacy and participation.

RI field representative Anne Edgerton and associate Trish Hiddleston recently returned from a mission to the Congo.

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